

## Reasonable Accommodation

### UCSC Local Procedures

(E.3) Rev. 6/30/2009

#### I. Policy Summary

The University provides reasonable accommodation to otherwise qualified employees who are disabled or become disabled and need assistance to perform the essential functions of their positions. Reasonable Accommodation is addressed through the use of the Interactive Process to determine what, if any, reasonable accommodation will be made.

#### II. Related Policies, Contract Articles and References

A. Personnel Policies for Staff Members (PPSM) – employees not covered by a collective bargaining agreement:

- [PPSM 81 Reasonable Accommodation Policy and Procedures](#)

B. [Contract Articles](#)– employees covered by a collective bargaining agreement

#### III. Authority

In circumstances where a recommended accommodation appears to the unit to be unreasonable, ineffective, or to constitute an undue hardship, the Staff Human Resources Director, in consultation with other appropriate offices, has responsibility for making the final determination.

#### IV. Criteria

Medical documentation from a licensed health care provider must be provided by the employee to assist in understanding the nature of the employee's functional limitations. In addition, the employee must complete a medical release form for the Disability Management Coordinator to allow for communication with the licensed health care provider. This documentation may be subject to confirmation by a University-appointed licensed health care provider. In order to be eligible for Reasonable Accommodation services, the employee must be a qualified individual with a disability as defined by the Americans with Disabilities Act (ADA) and Cal-FEHA. The formal accommodation process is used when the unit is unable to accommodate an employee's disability on an informal basis, or requires assistance in determining if a requested accommodation is reasonable and appropriate.

#### V. Process Overview

When a qualified employee with a mental or physical disability is, or becomes, unable to perform the essential, assigned duties of the currently held position as a result of a covered disability, the University is committed to providing reasonable accommodation. The University will explore reasonable accommodation options when an employee requests accommodation or indicates a need for accommodation due to a covered disability, or when the need for reasonable accommodation is obvious. Accommodation options will be considered in discussions with the employee. This is an interactive process that requires the active participation of the employee and the supervisor.

#### Interactive Process and Reasonable Accommodation

The Interactive Process is an ongoing dialog between the employee, the supervisor, and the Disability Management Coordinator about possible options for reasonably accommodating the employee's disability.

- The Employee** informs the supervisor of his/her functional limitations and the need for reasonable accommodation and provides documentation from a licensed health care provider stating that the employee is unable to perform essential functions of his/her position due to medical reasons.
- The Supervisor** will consult with the Disability Management Coordinator:
  - If a question exists as to whether the employee is a qualified individual with a disability under the ADA or Cal-FEHA.
  - If assistance is needed to identify reasonable employment accommodation.
  - If the unit is unable to accommodate the employee.
- The Supervisor** engages in the Interactive Process, with the employee and the Disability Management Coordinator, once he/she becomes aware of the employee's disability and the possible need for accommodation.

**Note:** The employee must respond to reasonable requests for medical documentation and complete a medical release form for the Disability Management Coordinator in a timely manner. The employee also has the responsibility to engage in the Interactive Process.

D. **The Disability Management Coordinator** will review and analyze the request for reasonable accommodation.

**Note:** The University gives primary consideration to the requested accommodation and provides it, if the requested accommodation is reasonable and will not impose undue hardship on the University.

E. **The Disability Management Coordinator** informs the employee whether the request for accommodation is approved, approved as modified, or not approved.

- If approved or approved as modified, the unit provides the accommodation not exceeding \$50. The Disability Management Coordinator provides the accommodation exceeding \$50, utilizing the central Accommodation Fund.
- If not approved, The Disability Management Coordinator documents reasonable accommodation efforts and determines the employee's eligibility for Special Selection.

F. **The Employee** will make a good faith effort to perform the essential functions of the job, with or without reasonable accommodation.

**Note:** If the employee refuses to make a good faith effort to perform the essential functions of the job using reasonable accommodation offered by the University or declines reasonable accommodation, the employee may be eligible for medical separation under Personnel Policy 66: Medical Separation.