

## **Georgia State University**

### **ADA Employee Accommodation Policy and Procedure**

Georgia State University is an equal opportunity employer. Qualified individuals with disabilities are welcome as employees at Georgia State. In order to provide equal access and opportunities to individuals with disabilities, reasonable accommodations may be needed. This document is designed to provide information on the process of obtaining reasonable accommodations for new and existing Georgia State University employees, including faculty and staff.

The Americans with Disabilities Act (ADA) prohibits discrimination in the workplace on the basis of a disability and requires that employers provide reasonable accommodations to qualified individuals with disabilities. A reasonable accommodation refers to a change in the job or environment that allows a qualified employee with a disability to perform the essential functions of his or her job. Some examples of accommodations include:

- restructuring a job
- modifying work schedules
- providing interpreters
- redesigning work areas and equipment or acquiring new equipment
- ensuring facility accessibility to those with physical disabilities

Accommodations are made on a case by case basis, taking into account the type and severity of the disability and the specific job requirements involved. The University works with eligible employees to identify the most appropriate accommodation in a given situation. An accommodation need not be the most expensive or ideal accommodation, or the specific accommodation requested by the employee so long as it is effective. In addition, employers are not required to provide accommodations that are primarily for personal use. The University will work with eligible individuals who prefer to provide their own accommodation to ensure compatibility with the University's systems.

### **Accommodation Process**

#### **1. Self-Identification**

To receive an accommodation in the workplace, an employee with a disability must first self-identify him or herself as having a disability. Voluntary Disclosure Forms are available in Human Resources ("HR") and online at <http://employees.hr.gsu.edu/benefits/active-employees/health-and-wellness/americans-with-disability-act-ada/>, in both screen-readable and PDF formats. An employer is not required to provide a reasonable accommodation until the employee has disclosed s/he has a disability, requested an accommodation and it has been determined by the University that the employee has a qualified disability as defined under the ADA. Submission of this information is voluntary. An individual may not have acquired a disability, or may not realize accommodations are needed, until after s/he is hired. An employee may self-identify him or herself as having a disability during the hiring process, when first hired or at any other time while employed by Georgia State University. However accommodations are not retroactive. All information submitted about a disability will be maintained separately from personnel records

and kept confidential in accordance with the ADA, except that (a) supervisors and managers may be informed regarding restrictions on the work or duties of qualified individuals with disabilities and necessary accommodations, (b) first aid and safety personnel may be informed, to the extent appropriate, if and when a condition might require emergency treatment; and, (3) government officials engaged in enforcing laws such as those administered by the Office of Federal Contract Compliance Programs or the Americans with Disabilities Act may be informed. The information provided will be used only in ways that are consistent with Section 504 of the Rehabilitation Act.

**A. New Employees:** New employees may self-identify themselves to HR as having a disability when completing new hire HR paperwork or at any time thereafter by completing and submitting to HR a Voluntary Disclosure of Disability Form. Voluntary Disclosure of Disability Forms are available in HR and also online, in both screen-readable and PDF formats. HR will provide the employee with information about the University's Accommodation Policy and Procedures.

**B. Current Employees:** Current employees at Georgia State University may self-identify themselves as having a disability at any time. Voluntary Disclosure of Disability Forms are available in HR and also online, in both screen-readable and PDF formats.

Employees should submit the completed Voluntary Disclosure of Disability Form to the ADA Coordinator. If no accommodations are being requested (i.e. if the employee submits a Voluntary Disclosure Form but no Accommodation Request Form), the paperwork will be placed on file in Human Resources and no action will be taken unless and until the employee requests an accommodation by submitting a completed Accommodation Request Form.

## **2. Request for an Accommodation**

If you require accommodations to perform your job duties properly and safely, you should advise your supervisor of your need and submit a completed Accommodation Request Form to the ADA Coordinator in HR. Upon receipt of a completed Accommodation Request Form, HR will contact your immediate supervisor and ask that he or she complete a Job Analysis and Essential Function Analysis Form within five (5) working days. Upon receipt of this completed documentation from your supervisor, HR will provide you with an ADA Medical Certification Form for completion and signature by your health care provider. You must then submit the completed and signed ADA Medical Certification Form to the ADA Coordinator in HR in a timely manner. The HR ADA Coordinator will then review all submitted documentation and determine whether the employee has a disability eligible for accommodations under the ADA. The HR ADA Coordinator will consult with the Office of Legal Affairs as necessary.

## **3. Notice to Employee**

**A. Notice of Determination:** Employees eligible for an accommodation under the ADA will be directed to schedule a meeting with the ADA Coordinator to discuss accommodation alternatives. Employees not eligible for accommodations under the ADA will be mailed written notice of this determination.

**B. Notice of Insufficient Documentation:** If an employee does not provide the required medical documentation in a timely manner, Human Resources ("HR") will mail the employee a reminder explaining that no accommodation can be provided until the required medical documentation has been submitted. The employee's immediate supervisor will be copied on this letter. If the employee does not respond to this notice in a timely manner by submitting the required medical documentation, HR will mail a second letter to the employee, copying his/her immediate supervisor, giving notice that an accommodation cannot be provided due to insufficient documentation. If medical documentation is not submitted by the employee within six

(6) months from the date of this second notice, then all information previously submitted will be placed in an inactive file and maintained according to the University's record retention guidelines.

### **5. Meeting to Discuss Accommodations**

Once a determination is made that an employee has a disability eligible for an accommodation under the ADA, the employee schedules a meeting with the ADA Coordinator. HR will provide the employee with information regarding Human Resources' role in supporting employees with disabilities (e.g. reviewing documentation, determining eligibility and reasonable accommodations, follow-up discussions with supervisors and employees as necessary, and etc.).

Possible accommodations will be identified during the meeting and the effectiveness of each accommodation will be discussed and assessed as needed. A visit to the employee's worksite by the ADA Coordinator to determine an appropriate accommodation may be required. The preferences of the employee with the disability will be taken into consideration and reasonable accommodations will be selected that meet the needs of both the employee and employer.

### **6. Accommodation Agreement**

Once accommodations have been identified and agreed upon by the employee and employer, these accommodations will be documented in an Accommodation Agreement prepared by the ADA Coordinator and signed by the employee and his or her supervisor.

### **7. Accommodation Implementation**

After an Accommodation Agreement has been signed, the accommodation will be implemented as soon as reasonably possible. The ADA Coordinator may follow-up with the employee and supervisor to confirm that the accommodation is effective. The employee should contact their supervisor and the ADA Coordinator for any further accommodation needs.

### **8. Appeals**

If the employee disagrees with the accommodation selected or has been denied an accommodation to which the employee believes he/she is entitled to under the ADA or Section 504 of the Rehabilitation Act, the employee may appeal the decision to the Associate Vice President of Finance and Administration within twenty (20) business days from the date of the decision.