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| **Name of Policy** | Americans with Disabilities Act (ADA) |
| **Description of Policy** | ADA and Reasonable Accommodation Provisions  |
| **Policy applies to** | [x]  University-wide[ ]  Specific *(outline location, campus, organisational unit, etc.)* |
| [x]  Faculty, Staff & Applicants [ ]  Students only [ ]  Staff and students |
| **Policy status** | [ ]  New policy [x]  Revision of existing policy |

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| **Approval authority** | Sr. Vice President, Finance, Administrative Services & Operations/CFO |
| **Governing authority** | Human Resources Management |
| **Responsible officer** | Assistant Vice President, Human Resources |

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| **Approval date** | July 1, 2021 |
| **Effective date** | July 1, 2021 |
| **Approval date of last revision** | December 1, 2017 |
| **Effective date of last revision** | December 1, 2017 |
| **Date of policy review\*** | June 30, 2021 |

*\*unless otherwise indicated, this policy will still apply beyond the review date*

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| **Related legislation, policies, procedures, guidelines and local protocols** |  |

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Purpose

It is Alcorn State University’s (“the University”) policy to not discriminate against q1ualified individuals

with disabilities in regard to application procedures, hiring, advancement, discharge, compensation,

training, or other terms, conditions, and privileges of employment.

As part of its effort to comply with the Americans with Disabilities Act (ADA), the University will make

reasonable accommodations to the known physical or mental limitations of qualified individuals with

disabilities, unless such accommodations would create an undue hardship or pose a direct threat to the

health and safety of the individual or others. The University fully embraces its obligations in this regard and

expects all employees to actively engage in an interactive process to identify and assess potential

accommodations that will enable qualified individuals with disabilities to better perform the essential

functions of the position they hold or seek.

This policy and procedure applies to all employees and applicants.

Responsibility Matrix

**Procedural Responsibility**

1. The Assistant Vice President for Human Resources is responsible for the development and maintenance of this policy.
2. Employees or applicants are responsible for communicating the need for accommodations to their supervisor (employees) or to the Office of Human Resources Management (applicants).
3. Supervisors are responsible for communicating all requests for an accommodation to the Office of Human Resources Management.
4. The Office of Human Resources Management is responsible for engaging in an interactive process with the employee and/or applicant to determine what reasonable accommodations, if any, are to be granted to the employee or applicant. Additionally, the Office of Human Resources Management is responsible for communicating information related to the interactive process to the supervisor.

Definitions

As used in this policy, the following terms have the indicated meaning and will be applicable in relation to

the ADA policy.

**Disability** – refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such impairment, has a record of such impairment, or is regarded as having such impairment is a “disabled individual.”

**Direct threat to safety** – means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

**Essential job functions** – refers to those activities of a job that are the core to performance of the position. These are the duties for which the job exists and cannot be modified.

**Qualified individual with a disability** – means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.

**Reasonable accommodation** – means making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or services, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.

**Undue hardship** – means an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include (1) the nature and cost of the accommodation, (2) the number of persons employed at the University, (3) the effect on expenses and resources or other impact upon the University (4) the overall financial resources of the University.

Policy Statement

The University is committed to equal opportunity for individuals with disabilities in the workplace and will not discriminate against individuals with disabilities in connection with any terms or conditions of employment. An individual with a disability will be given the same consideration for available positions as any other candidate. To the extent an individual with a disability requires a reasonable accommodation in order to perform the essential functions of the position, the University is committed to working with that individual to determine the availability of such accommodations, taking into consideration whether or not such accommodation will be effective and not create an undue hardship.

An employee who requires an accommodation which cannot be modified on the job they hold or desire must complete the Employee Request for Accommodation form and provide it to their supervisor or the Office of Human Resources Management. An applicant who requires an accommodation must complete and return this Request form to the Office of Human Resources Management at hrm@alcorn.edu.

The supervisor or other designee and the Office of Human Resources Management will consider the request and all information provided by the employee or applicant. In some circumstances, additional information may be needed from the employee or applicant, as well as from their health care provider. If the University determines, in light of the information provided, that the requested accommodation(s) is (are) reasonable and will not impose an undue hardship or direct threat, the University may make the accommodation(s) in accordance with applicable law. The University may propose an alternative to the requested accommodation(s) or may substitute one reasonable accommodation for another, and retains the ultimate discretion to choose among reasonable accommodations.

After the Employee Request for accommodation form has been received by the Office of Human Resources Management, the employee/applicant will be asked to provide a signed Medical Inquiry Form in Response to an Accommodation Request. Supervisors, with assistance from the Office of Human Resources Management, must complete the Job Analysis Form in order to assist in determining what, if any, accommodation is appropriate.

If an accommodation agreeable to both parties is determined, the Office of Human Resources Management should issue an Accommodation Approval Letter.

If it appears an accommodation cannot be made, the Office of Human Resources Management will consult with the University’s legal counsel to review the situation, and upon receipt of affirmation of decision, shall issue a denial letter and may take appropriate work-related actions as necessary in light of the facts presented.

Review

The policy will be reviewed as needed.

Policy Resources

Employee Request for Accommodation

Medical Inquiry Form in Response to an Accommodation Request

Job Analysis Form