



NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY

SEC. III—Disability 1.0

REASONABLE ACCOMMODATION

ADMINISTRATIVE POLICY

PURPOSE

The overall intent of this policy is to ensure that North Carolina A&T State University fully complies with the Americans with Disabilities Act and maintains equal opportunity in employment for all qualified persons with disabilities. This policy also prohibits retaliation against employees.

I. POLICY STATEMENT

It is the policy of North Carolina A&T State University to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship upon the University. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process.

II. DEFINITIONS

Disability – a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or being regarded as having such an impairment.

Qualified Individuals with Disabilities – a qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question.

Reasonable Accommodation - a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy equal employment opportunities.

Undue Hardship – an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation.

Essential Functions – the fundamental duties of the position or the primary reasons the position exists.

III. COVERAGE

This policy applies to all qualified applicants and employees with disabilities. If requested, reasonable accommodations must be provided to qualified employees regardless of whether they work part-time or full-time, or are considered “probationary” or “non-career status”, as well as temporary employees.

IV. REASONABLE ACCOMMODATION

An employer is required to make a reasonable accommodation to the known disability of a qualified applicant or employee if requested and if it would not impose an “undue hardship” on the operation of the employer’s business.

V. PROCESS TO REQUEST A REASONABLE ACCOMMODATION

EMPLOYEES:

1. The employee shall submit a request to their supervisor of the need for an accommodation. The employee will also submit a reasonable accommodation request form and an authorization and consent for disclosure of health information form.
2. The supervisor will notify their Division head.
3. The Division head will forward the request for accommodation to the Division of Human Resources (the Director of Employee Relations/Affirmative Action Officer).
4. The Director of Employee Relations/Affirmative Action Officer may request documentation of the individual’s functional limitations to support the request.
5. The Division of Human Resources, the supervisor and the employee making the request for an accommodation in consultation will:
 - a. Discuss the purpose and the essential functions of the particular job involved.
 - b. Determine the precise job-related limitation.
 - c. Identify the potential accommodations and assess the effectiveness each would have in allowing the employee to perform the essential functions of the job.
 - d. The University shall select the reasonable accommodation that is the most appropriate for the employee.
6. As applicable: The request will be forwarded to the Director of Safety and Health for assessment of workspace, air quality, ergonomic issues and needs, etc. if the request falls within the expertise of the Department of Environmental Health and Safety. The Director of Environmental Health and Safety will report findings to the Director of Employee Relations/ Affirmative Action Officer and the Vice Chancellor for the Division of Human Resources.

7. The Director of Employee Relations will communicate the recommendation to all parties, Vice Chancellor for the Division of Human Resources, Legal Counsel, and the employee's supervisor.
8. The Director of Employee Relations/Affirmative Action will provide a written decision to the employee within a reasonable amount of time, not to exceed 30 days from the original date of the employee request, unless a longer time is agreed upon by the employee and the employer.

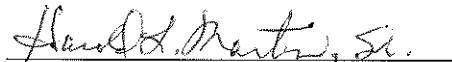
APPLICANTS:

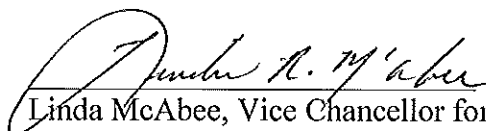
1. The job applicant shall inform the hiring supervisor, the Director of Employee Relations/Affirmative Action Officer, or the Vice Chancellor of the division of Human Resources of the need for an accommodation. Hiring officials who have been notified by an applicant of a need for accommodation shall contact the division of Human Resources for assistance. The Director of Employee Relations/Affirmative Action Officer or the Vice Chancellor of the Division of Human Resources will discuss the needed accommodations and possible alternatives with the applicant.
2. The Director of Employee Relations/Affirmative Action Officer or Vice Chancellor for the Division of Human Resources will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

VI. APPEALS

Employees who are dissatisfied with the decision(s) pertaining to his/her accommodation request may file a grievance in accordance with the university grievance procedure or, an employee or applicant may appeal directly to the State Personnel Commission by filing a petition for a contested case hearing with the Office of Administrative Hearings no later than 30 calendar days from receipt of the decision(s).

Approved by the Chancellor


Harold L. Martin, Sr., Chancellor


Linda McAbee, Vice Chancellor for Human Resources

Date Original is Effective: Upon approval

First approved: March 22, 2011

Revised: