

POLICY MANUAL

GENERAL

Number 323

Subject: Employees with Disabilities

Date of Origin: January 24, 1997

323.1 POLICY

Utah State University is committed to equal employment opportunity and non-discrimination as outlined in the Rehabilitation Act of 1973 and the Americans with Disabilities Act. The University ensures full right of access for persons with disabilities to all terms and conditions of employment, services, programs, and activities. University employees and candidates for employment will be treated on the basis of their ability to perform essential job functions, with or without reasonable accommodation.

Consistent with this policy, the University is dedicated to:

- 1.1** recruit, hire, and promote on the basis of qualifications without discrimination.
- 1.2** ensure that decisions affecting employees are made without discrimination including, but not limited to, decisions concerning compensation, benefits, job assignments, training, opportunities for advancement, and performance evaluation.
- 1.3** make reasonable accommodations, as necessary, to enable an otherwise qualified individual with a disability to successfully perform the essential functions of the job.

323.2 DEFINITION

2.1 Disability

Within the scope of this policy, the term disability includes:

- (1) any physical or mental impairment that substantially limits one or more major life activities,

- (2) a record of such an impairment, and/or
- (3) being regarded as having such an impairment.

323.3 PROCEDURES

Employees should contact the Office of Human Resources and the Disability Resource Center for advice and/or assistance in implementing this policy.

Employees who require accommodation are responsible for disclosing disability-related information and requesting reasonable accommodation. Decisions regarding accommodation will be made in consultation with the employee, the supervisor, department head, ADA coordinator, and appropriate individuals inside and outside the University.

Employees must be able to perform the essential functions of the job with or without reasonable accommodation. If reasonable accommodation will not enable the employee to adequately perform the job, the employee may be judged to be not qualified for the position. The reasonableness of any accommodation will be evaluated on a case-by-case basis.

All complaints related to issues of disability should be referred to the University's Affirmative Action/Equal Opportunity Office.

323.4 RESPONSIBILITIES

4.1 Department Heads and Supervisors

Responsible for communicating this policy to employees within their department and insuring that the policy is adhered to at all times. Supervisors will refer employees who disclose a disability or request accommodation to the Disability Resource Center.

4.2 Disability Resource Center

Responsible for documenting all requests for reasonable accommodation and maintaining confidential records on each contact. If an employee is determined to be a qualified person with a disability, the reasonableness of the request will be evaluated or alternative accommodations will be explored. Decisions regarding accommodation will be made in consultation with the ADA coordinator, the employee and appropriate personnel within and outside the University.

4.3 ADA Coordinator

Responsible for receiving requests for reasonable accommodation and ensuring that the Risk Management Office and other campus and state offices are consulted as appropriate.

4.3 Office of Human Resources

Responsible for ensuring that this policy is adhered to at all times and for appropriately posting a notice of the ADA for all employees and applicants. The Office of Human Resources is also responsible for providing advice and assistance in implementing this policy.

4.4 Affirmative Action/Equal Opportunity Office

Responsible for investigating and responding to any complaint regarding issues of disability.

4.5 Employees

Employees with disabilities are responsible to request reasonable accommodations. An employee who disagrees with University's final determination concerning reasonable accommodation has the right to file a complaint with the AA/EO Office (see policy 305).