

# Policy on American with Disabilities Act (ADA) and Requests for Reasonable Accommodation

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## Policy Statement & Purpose

The purpose of the policy is to outline the process for making an accommodation request(s) to the Human Resources Office. This policy applies to all faculty and staff and relates to accommodations.

Point Park University is committed to compliance with the requirements of the Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act (ADAAA). These statutes envision an interactive process by which the University and a faculty and/or staff member who is requesting an accommodation will work together to assess whether a disability can be reasonably accommodated. The interactive process includes initial and ongoing dialogue between the requesting individual and appropriate representatives of the University. An individual who requests an accommodation must engage in the interactive process as more fully set forth herein.

## Definitions

Below is a summary of certain key terms to assist in understanding this policy.

### 1. Disability:

In the context of the ADA and ADAAA, an individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

### 2. Essential Job Functions:

These are the job duties that an employee must be able to perform with or without a reasonable accommodation.

### 3. Reasonable Accommodation:

This is any change or adjustment to the work or academic environment which is reasonable and not unduly burdensome to implement, and enables an employee with a disability to perform the essential functions of the employee's job. When an accommodation request is made following the procedure set forth herein and granted by the Human Resources Office, the accommodation applies as of the date it is granted and is forward looking. Accommodations do not apply retroactively to past academic or employment decisions.

### 4. Undue Hardship:

This is an accommodation which would be unduly expensive, disruptive, or would substantially alter operations. Such accommodations need not be provided. Nevertheless, the University will explore and attempt to identify alternative suitable accommodations which would not constitute undue hardship.

## Policy

### I. Procedure for Requesting/Response to Reasonable Accommodation

An employee must work with the Human Resources Office regarding a request for an accommodation. The Human Resources Office may request information and medical documentation as further explained in Section II herein. In some cases, the Human Resources Office will consult with Deans, Department Chairs, Department Directors, Managers and/or other appropriate members of the University when evaluating a request for an accommodation.

If the Human Resources Office determines that the employee is entitled to an accommodation and that the proposed accommodation is reasonable as defined by the ADA, ADAAA or any other applicable laws, regulations, or rules, the Human Resources office will:

- Provide written confirmation of the approval or recommendation in the form of a Letter of Accommodation, which is issued to the employee and the employee's supervisor(s) and senior department head. The Letter of Accommodation will include appropriate methods of implementing the requested accommodation.
- An accommodation request may be denied because of insufficient documentation or because the accommodation is not reasonable as defined by the ADA because the University would experience an undue hardship in granting the accommodation. In such instances, the following information applies:
  - If the denial is based on insufficient documentation, the Human Resources Office will provide information regarding what additional supporting documentation is required, and detailed instruction on documentation guidelines will be provided; or
  - If the denial is based upon undue hardship, the Human Resources Office will explore alternate accommodations with the employee.

### II. Medical Documentation

A faculty and/or staff member who requests an accommodation must provide appropriate medical documentation to the Human Resources office. It is the requesting individual's responsibility to provide the medical documentation in a timely fashion.

The following guidelines regarding medical documentation must be met whenever relevant to the requested accommodation:

1. The documentation must include a diagnosis that is made by a licensed healthcare practitioner in the appropriate and relevant field with credentials in the area of the disability in question.

2. The report must describe the type and severity of the individual's symptoms at the time of first diagnosis and give the approximate date of their onset. Subsequent progress and treatment of the condition should also be given.
3. A description of the individual's current symptoms must be reported.
4. If relevant to the accommodations requested, the report must detail any currently prescribed or recommended treatment, such as medical treatment, physical therapy, dietary requirements, assistive devices, etc.
5. Specific substantial limitations related to the disability must be listed.
6. The report must contain recommendations for specific reasonable accommodations supported by the diagnosis that are needed to address the current impact of the individual's disability to function in the classroom and/or other workplaces.
7. All documentation reports must be typewritten or legibly handwritten and signed on professional letterhead bearing the physician's address, phone, and clinical affiliation. The physician's license number certifying the physician's status as a practicing medical doctor and any additional information about specialty credentials should be listed; OR
8. In lieu of the above letter, an employee/physician may use this University approved form; (ADA Medical Certification form) to provide the specific data needed to the Human Resources Office.
9. All documentation is confidential and should be submitted to: Point Park University, Human Resources Office, 201 Wood Street, Pittsburgh PA 15222
10. After the medical documentation has been submitted and reviewed, the requesting individual will be notified to schedule an appointment with the AVP HR, or Benefits/University Insurance Coordinator, either to determine appropriate accommodations using the interactive process described above, or to notify the requesting individual that additional information is needed.
11. Faculty and/or staff members are required to update the AVP HR and /or Benefits/University Insurance Coordinator if their condition changes. The Human Resources Office may at any time request updated medical documentation. Faculty and staff must update the Human Resources Office if there is a change in their medical status to ensure that accommodations remain reasonable and appropriate

### **III. Confidentiality, Use and Storage of Documentation.**

All documentation will be held in the strictest confidence and kept separate from personnel records by the Human Resources Office. Documentation and reports from medical

providers will be used solely to assist the Human Resources Office in making an informed decision about the employee's request for an accommodation.

#### **IV. Related Information**

- The Americans with Disabilities Act (ADA) [website](#)
- Additional information about reasonable accommodations and the interactive process is available through the [Job Accommodation Network](#) (JAN), which is a service provided by the U.S. Department of Labor's Office of Disability Employment Policy.

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Policy Owner: Human Resources

Effective Date: July 21, 2020

Date of Approval: July 21, 2020

Date of Publication: July 21, 2020

**Revision History (and effective dates):**