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UNO Website: Office of Equity Access and Diversity - Procedures for Requesting Accommodations for Disability

UNO Office of Equity Access and Diversity University of Nebraska at Omaha

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Procedures for Requesting Accommodations for Disability

Individuals with physical or mental impairments who are otherwise qualified to perform their work or pursue their studies may request reasonable accommodations to enable them to work or continue their studies. The Americans with Disabilities Act (ADA), the Americans with Disabilities Act, as amended (ADAAA), the Rehabilitation Act of 1973, enables covered individuals to receive accommodations so long as the accommodations are reasonable, the job duties can be performed with or without an accommodation, and do not cause an undue hardship or fundamentally alter an academic program.

To ensure that an individual can perform or continue to perform (if the disability occurs after employment) his/her job responsibilities, a reasonable accommodation may include the purchase of special equipment, changing the physical layout of the workplace, restructuring job responsibilities and duties, modifying the work schedule, providing interpreters etc.

Even though the individual provides input concerning the accommodation process, the University will determine what constitutes a reasonable accommodation on a case by case basis and reserves the right to request additional independent medical examinations, evaluations or other appropriate information at the expense of the University. Specific request for accommodation may not necessarily be granted if there are other effective means of achieving the same result. An accommodation need not be the most expensive or ideal accommodation, or may not be the specific accommodation requested by the employee so long as it is effective. In addition, the University is not required to provide accommodations that are primarily for personal use. Individuals must communicate with university personnel to identify reasonable, effective accommodations. In all instances, documentation will be required to substantiate the need for an accommodation.

Disability information is treated as confidential and will be shared with University administrators only on a need to know basis. Medical documents will be maintained separately from personnel records and kept confidential in accordance with the ADA. Should an accommodation be approved, the Dean, Chairperson, Director or immediate level supervisor/manager 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.

Accommodation Process

To begin the process to receive an accommodation, the individual with a disability must first self-identify him or herself as having a disability. The University is not required to provide a reasonable accommodation until the individual 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. The ADA Request for Accommodation Form is available at



<http://www.unomaha.edu/humanresources/Documents/adaForm.pdf>. This form must be returned to the Equal Opportunity Office within five (5) working days to begin the evaluation process.

Upon receipt of the completed Accommodation Form, the Equal Opportunity Office will review the form to ascertain if additional information is needed. Additional information may include, reviewing a current job description to determine essential function job duties within accordance of the ADA, medical documentation from the individual's health care provider, or contacting the individual for further questions. The Equal Opportunity Office will then review all submitted documentation to determine whether the individual has a disability eligible for accommodations under the ADA.

Notice to Employee

If an individual does not provide the required medical documentation in a timely manner, the Equal Opportunity Office will notify them that no accommodation can be provided until the required medical documentation has been submitted. If the medical documentation that the Equal Opportunity requests is not submitted by the employee within four (4) weeks from the date of the requests, all information previously submitted will be placed in an inactive file and maintained according to the University's record retention guidelines. Unusual circumstances may be taken into consideration.

Meeting to Discuss Accommodations

Once a determination is made that an individual has a disability eligible for accommodation under the ADA, the Equal Opportunity Office will schedule a meeting with the individual to discuss possible accommodations. The preferences of the individual with the disability will be taken into consideration and reasonable accommodation will be selected that meet the needs of both employee and employer and ADA.

Appeals

If the employee disagrees with the accommodation selected or has been denied an accommodation in which the employee believes he/she is entitled under the ADA or Section 504 of the Rehabilitation Act, the employee may appeal the following appeal process identified under the Issue Resolution and Complaint Procedures for Prohibited Discrimination http://www.unomaha.edu/humanresources/prohibited_discrimi.html beginning with the section entitled "Formal Procedures".

For students, you should contact the **Services for Students with Disabilities**, www.unomaha.edu/disability to initiate the accommodation process.

For faculty or staff, contact the **Equal Opportunity Office**, <http://www.unomaha.edu/humanresources/unoempeoaa.php>, to begin the process.