



Angelo State University Operating Policy and Procedure

OP 52.03: Americans with Disabilities Act (ADA)- Employees

DATE: June 13, 2010

PURPOSE: The purpose of this Operating Policy and/or Procedure (OP) is to establish a policy for compliance with the ADA to the extent that it pertains to university employees.

REVIEW: This OP will be reviewed in January of odd numbered years by the director of human resources with recommended revisions forwarded through the vice presidents to the president by February 15 of the same year.

POLICY/PROCEDURE

1. Policy

Angelo State University is committed to the principle that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of employment, promotional opportunities, services, programs, or activities of the university, or be subjected to discrimination by the university, as provided by the Americans with Disabilities Act of 1990 (ADA), the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), and any subsequent legislation. Requests from individuals for accommodation of a disability will be approved if reasonable and do not constitute an undue hardship for the university.

2. Definitions

- a. **Disability:** A mental or physical impairment that substantially limits one or more major life activities of an individual; a record of such an impairment; or being regarded as having such an impairment.
- b. **Major Life Activities:** The basic components of any person's life and may include walking, talking, hearing, seeing, sitting or standing, lifting or reaching, and concentrating. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
- c. **Qualified Individual with a Disability:** A qualified individual with a disability is an individual who meets all the skills, experience, knowledge, educational and other job requirements for the position. In addition, the individual can perform the essential functions of the position with or without reasonable accommodation.

- d. *Reasonable Accommodation:*** Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires; modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position or modifications or adjustments that enable the university's employees with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.
- e. *Undue Hardship:*** Undue hardship factors may include, but are not limited to a significant difficulty or expense in relationship to the size of the organization, the resources available, and the nature of the operation.

3. Requests for Accommodations

The Office of Human Resources is responsible for interpreting "reasonable workplace accommodation" as defined in this policy and as they apply to job applicants and employees of the university. An applicant or employee requiring an accommodation shall notify this office. Requests for accommodation of a disability by an applicant or employee will be reviewed on a case-by-case basis, taking into account the essential elements of the job. As appropriate, individuals requesting accommodation of a disability may be asked to provide a medical statement containing the diagnosis, prognosis, and major life function that is substantially limited by the disability and the effect the impairment has on the person's ability to perform the essential elements of the job. To the extent practical, administration will make reasonable accommodations to assist qualified individuals with disabilities.

4. Confidentiality

All medical and ADA information concerning applicants, employees, students, or other individuals will be maintained in a confidential manner. Such records will be kept separate from personnel files and will be accessible only to authorized persons.