

SUL ROSS STATE UNIVERSITY

A Member of the Texas State University System

Disabilities Accommodation Policy for Employment

SRSU Policy ID: APM 5.17

Policy Reviewed by: Director of Human Resources

Approval Authority: Vice President of Finance and Operations

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Sul Ross State University, a member of the Texas State University System, supports equal employment opportunities for all persons. Reasonable accommodations will be made to allow individuals with disabilities access to equal employment opportunities.

- A. An ADA Compliance Officer will be annually appointed by the President to direct the University's effort to comply with the Americans with Disabilities Act. Responsibilities include ensuring that SRSU is in compliance with federal laws by coordinating an appropriate campus response regarding the Americans with Disabilities Act (1990), the ADA Amendments Act of 2008 and Section 504 of the Rehabilitation Act (1973) and serving as the hearing officer for grievances and complaints related to disability issues.
- B. The ADA defines an individual with a disability as a person: “(a) with a physical or mental impairment that substantially limits one or more of the major life activities; (b) having a record of such an impairment; or (c) being regarded as having such an impairment.”
- C. A physical impairment is defined as “any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.”
- D. A mental impairment is defined as “any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.”
- E. Substantially limits means an individual must be unable to perform, or be significantly limited in the ability to perform, an activity compared to an average person in the general population. Three factors will determine whether a limitation is substantial: its nature and severity (extent), how long it is expected to last (duration), and its expected permanent or long term (impact).
- F. Some examples of major life activity are walking, speaking, breathing, performing manual tasks, seeing, hearing, learning, caring for one's self, working, sitting, standing, lifting, and reading. A record of an impairment protects people who have a history of a disability from discrimination, whether or not they currently are substantially limited in a major life activity.

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- G. Employment decisions will be based on the abilities and not the disabilities of applicants and employees. 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. ADA prohibits discrimination against persons with disabilities in regard to any employment practices or terms, conditions, and privileges of employment. This prohibition covers: application, promotion, testing, medical examinations, hiring, layoff/recall, assignments, termination, evaluation, compensation, disciplinary actions, leave, training, and benefits.
- H. Reasonable accommodations will be made for applicants and employees with documented disabilities. Reasonable accommodations may include making existing facilities used by employees readily accessible to and usable by, the individual with a disability, restructuring jobs, modifying work schedules, acquiring, adjusting or modifying equipment. Reasonable accommodation does not include personal care assistants or personal equipment such as hearing aids or eye glasses.
- I. Individuals with documented disabilities may request accommodations needed to provide equal access to employment opportunities at Sul Ross State University. Procedures are established to provide needed and appropriate accommodations.
- J. An individual with disabilities should contact Human Resources to discuss possible accommodations. Accommodations should be requested well in advance of the need or as soon as the need is apparent to allow timely accommodation. Individuals have the option of not utilizing the accommodations that are provided by the University.
- K. Documentation of the disability will be required to be filed with Human Resources as a part of the request for accommodation. Documentation should be recent assessments conducted by appropriate qualified professionals who provide information pertaining to diagnosis and prognosis of the effect of major life activities and the effect the impairment has on the employee's ability to perform the essential functions of the job in question. This documentation should: (a) identify and describe the disability; (b) suggest accommodations appropriate to the individual's needs; (c) describe any history of effective accommodations; (d) and be written in layman terms.
- L. Records concerning disabilities and accommodations are considered confidential and access will be limited. All individuals associated with the accommodation process will maintain confidentiality to the extent possible.
- M. An Accommodation Form designed to facilitate accommodation requests will be provided to the interested party. The Accommodation Request section of the form should be initiated by the individual making the request. As soon as possible, but no later than three working days, Human Resources will complete the Action Recommendation section.

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- N. The Accommodation Form for employees will be forwarded to the supervisor who will be responsible for the approval and initiation of the accommodation. Each individual within the line of supervision will approve the accommodation request within three working days of receipt. If the action recommended is disapproved, the individual disapproving the action will be responsible for recommending an alternative action. As soon as possible, but not later than three working days, the Alternative Action section of the form will be completed.
- O. Reasonable accommodation will consider the request of the individual and seek a simple effective accommodation at the minimum cost. Within budget constraints, funding for the accommodation will be handled by the department of the individual requesting the accommodation. When necessary, funding will be sought through other University, outside agency, state or federal funds. When various methods of accommodation may be appropriate, the University will make the selection of accommodation based on the impact on operations and business, cost factors, and the effect on safety of the individual and others.
- P. Reasonable accommodation for employees will be provided unless the accommodation would result in an undue hardship to the University. Undue hardship is an action that requires significant difficulty or expense in relation to the size of the employer, resources available, and the nature of the operation.
- Q. The determination of an undue hardship will be made by the Executive Cabinet of Sul Ross State University made up of the Vice Presidents and the President of the University. If an accommodation would result in undue hardship, the individual may provide his or her own accommodation or share the expense of the accommodation.
- R. An employee who has a complaint or grievance regarding accommodation or discrimination is encouraged to adhere to the following steps to resolve the issue.
1. Meet with the individual suspected of discrimination or of not providing the reasonable accommodation and seek an agreeable resolution.
 2. Meet with a Human Resources Representative who will attempt to facilitate an agreeable solution.
 3. Present the issue to the ADA Committee to find an acceptable solution.
 4. File a complaint with the ADA Compliance Officer. The recommendations of the ADA Compliance Officer will be provided to the Executive Cabinet of the University for a final decision.
 5. An employee may elect to file a formal grievance following 5.05 Grievance Procedure for Staff Employees in the APM or 2.19 Faculty Grievance Policy in the Faculty Handbook in lieu of filing a complaint with the ADA Compliance Officer.