

North Dakota State University

Policy Manual

SECTION 168

REASONABLE ACCOMMODATION ON THE BASIS OF DISABILITY - GUIDELINES FOR EMPLOYEE REQUESTS

SOURCE: NDSU President

1. NDSU is committed to providing equal opportunity to both applicants for employment and employees with disabilities, as defined by law, by providing reasonable accommodations. To fulfill this commitment, NDSU has established the following guidelines.
2. APPLICANTS for employment:
 - 2.1 Applicants for employment who have a disability may request reasonable accommodation at any time during the application process. Requests for accommodation shall be made to the Office of Human Resources/Payroll. Applicants will be asked to confirm the request in writing, provided, however, the arrangements for accommodation may be initiated prior to receipt of the written request.
3. EMPLOYEES:
 - 3.1 Request for reasonable accommodation.

An employee whose disability requires reasonable accommodation in order to perform the essential functions of his/her job may request reasonable accommodations either formally or informally at any time during his/her employment. However, in all instances the request for reasonable accommodation shall be processed through the Human Resources Department. Human Resource's response will be in writing. Supervisors receiving requests for accommodation from employees shall direct the employee to contact Human Resources in order to address their need for a reasonable accommodation.
 - 3.2 Process for addressing requests for accommodation.

Informal accommodation requests shall be made by the employee either in-person or in-writing to the Office of Human Resources/Payroll.

Formal accommodation requests shall be made in writing using the Employee Reasonable Accommodation [form](#). The completed form shall be submitted to the Office of Human Resources/Payroll. In addition, the employee shall provide to the Office of Human Resources/Payroll relevant, written documentation of a disability from an appropriately certified or licensed health care or rehabilitation professional in a relevant field of the disability and explain the need for reasonable accommodation using the Documentation to Support a Request for Reasonable Accommodation on the Basis of Disability [form](#). To ensure a written timely response from Human Resources, it is recommended that the employee submit the documentation (form) within ten working days of the employee's written accommodation request. Both forms are available on the NDSU forms page or by request from the Office of Human Resources/Payroll.

3.3 Documentation of disability and need for accommodation.

3.3.1. Documentation provided by an employee should include the following:

- a) A statement identifying the disability, the date of the current diagnostic evaluation and the date of the original diagnosis, including diagnostic criteria and/or tests used.
- b) A description of the current functional impact of the disability.
- c) Treatments, medications, assistive devices/services currently prescribed or in use.
- d) A description of the expected progression or stability of the impact of the disability over time.
- e) The relevant credentials of the diagnosing professional(s) such as medical specialties or professional licensure.

3.3.2. All written documentation provided by an employee requesting accommodation will be maintained in a confidential file separate from the employee's official personnel file in the Office of Human Resources/Payroll.

3.3.3. Occasionally, the documentation provided by the employee may not be sufficient to make a determination of the appropriate reasonable accommodation. In such a circumstance, the University may require the employee to go to a health care professional of the University's choice in order to adequately document the need for accommodation and identify appropriate accommodations. Any medical examination required under these circumstances will be limited to determining the existence of a disability and the functional limitations that require reasonable accommodation.

3.3.4. Any costs related to the University's request for the additional medical documentation described in 3.3.3 above will be the responsibility of the University.

4. The determination of a reasonable accommodation shall be an interactive process involving the employee, Office of Human Resources/Payroll and relevant administrative personnel. The University may provide an alternative to the requested accommodation so long as it is effective in removing the workplace barrier(s) that impede(s) the employee with the disability. The employee may refuse an alternative reasonable accommodation, but such refusal may mean the individual may not be able to perform the essential functions of the job, which may require a fitness for duty evaluation under NDSU Policy 161: Fitness for Duty.

4.1 An applicant or an employee with a disability, as defined by law, who is dissatisfied with the response to his/her request for reasonable accommodation and wishes to appeal, may do so in writing to the Office of Human Resources/Payroll within ten working days of the response.

4.2 An Accommodation Review Board (ARB) will be assembled to review the appeal to the response. Following their review, they will make a recommendation to the NDSU ADA Coordinator. The final decision will be made by the NDSU ADA Coordinator and communicated to the employee and Human Resources in writing within ten working days of the receipt of the ARB's recommendation.

4.2.1 Members of the ARB shall include:

- Director of Human Resources/Payroll or Designee
- Director of (Student) Disability Services or Designee

Vice Provost for Faculty and Equity or Designee

HISTORY:

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