

**ARTICLE 30
REASONABLE ACCOMMODATION**

A. GENERAL PROVISIONS

The University provides reasonable accommodation to otherwise qualified employees who are disabled or who become disabled and need assistance to perform the essential functions of their positions, as required by federal and state law. The interactive process shall be used to determine what, if any, reasonable accommodation will be made. Reasonable accommodations shall be provided in the following, non-exclusive, scenarios:

1. When an employee with a disability needs an accommodation to enable him or her to perform the essential functions of the position;
2. When an employee with a disability needs an accommodation to enable him or her to gain access to his or her workstation; and
3. When an employee with a disability needs an accommodation to enjoy equal benefits and privileges of employment.

B. THE INTERACTIVE PROCESS

1. Upon receipt of an employee's request for an accommodation, the parties will engage in the interactive process, which is an ongoing dialogue between the employee and appropriate representatives of the University about possible options for reasonably accommodating the employee's disability. Options may include, but are not limited to: assistive devices; modification of existing facilities; and restructuring the job. Both the University and the employee are expected to participate in the interactive process, so as to ensure timely, good faith communications and a reasonable accommodation, if any, for the employee with a disability. The employee may have his or her representative participate in this dialogue.

During the interactive process the University considers information related to: the essential functions of the job; functional limitations; possible accommodations; the reasonableness of possible accommodations; and implementation of a reasonable accommodation. This information will be used by the University to determine what, if any, reasonable accommodation will be made.

2.
 - a. The University will process requests for reasonable accommodation and provide accommodations where reasonable and appropriate and in as short a time frame as reasonably possible. The parties recognize, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information.
 - b. Should an employee wish to receive an update as to the status of his/her request, he/she may contact the assigned University representative. The University representative will respond to the employee's request for updated information in a timely manner.

C. MEDICAL DOCUMENTATION

The employee is responsible for providing medical documentation from a licensed health care provider, specifying the employee's functional limitations as they pertain to the job and without providing diagnostic information. This documentation may also include the licensed health care provider's suggestions about potential accommodations. When necessary, the University may require that the employee be examined by a University appointed licensed health care provider. In such a case, the University shall pay the costs of any medical examinations requested or required by the University.

The University will maintain the confidentiality of all medical information pursuant to applicable state and federal laws.

D. NON-RETALIATION

No employee may be retaliated against because of a previous or pending request for a reasonable accommodation, whether or not the accommodation was or will be provided.

E. SPECIAL SELECTION FOR OTHER POSITIONS

An employee who becomes disabled may be selected for a position without the requirement that the position be publicized.

F. REASSIGNMENT

When other accommodations are not effective in allowing the employee to perform the essential functions of his or her position reassignment to an active, vacant position for which the employee is qualified with or without accommodations, may be required. The employee with the disability will have a choice to accept or reject the reassignment. The University will attempt to accommodate the employee's request by reassigning him or her to a position within his or her same department.

G. DENIAL OF REASONABLE ACCOMMODATION

If the University determines that it cannot reasonably accommodate an employee, it must give the reason(s) for its decision in writing to the employee who requested the accommodation within five (5) days of denying the request.