

## **Kennesaw State University ADA Statement and Accommodation Request Process**

*Kennesaw State University welcomes qualified individuals with disabilities as employees. This statement and subsequent Accommodation Request Process is provided to give information to applicants and employees on requesting an ADA Accommodation.*

The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of the University to comply with all Federal and state laws concerning the employment of persons with disabilities.

It is also the University's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

Kennesaw State University will reasonably accommodate qualified individuals with a temporary or long-term disability so that they can perform the essential functions of a job.

An individual who can be reasonably accommodated for a job, without undue hardship, will be given the same consideration for that position as any other applicant.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regard to the employee's immediate employment situation.

Human Resources is responsible for implementing this process, including resolution of reasonable accommodation, safety, and undue hardship issues.

### **Definitions**

As used in this process, the following terms have the indicated meaning and will be adhered to in relation to the ADA process.

- "Disability" refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment, has a record of such an impairment, or is regarded as having such an impairment is a "disabled individual."
- "Direct threat to safety" means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.
- A "qualified individual" means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
- "Reasonable accommodation" means making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or

- devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.
- “Undue hardship” means an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship could include: (1) the nature and cost of the accommodation; (2) the overall financial resources of the University and the impact the accommodation would make upon these resources; (3) the impact of the accommodation on the operations of the University.
- “Essential job functions” refers to those activities of a job that are core to performing said job for which the job exists that cannot be modified.

### **ADA Accommodation Request Process**

*The following process will be followed for all employees requesting an ADA accommodation. Accommodations are made on a case by case basis taking into account the type and severity of the disability and the specific job requirements the employee is required to perform.*

**Step 1: Employee requests ADA Accommodation:** An employee may request accommodation at anytime during the hiring process, when first hired or at any other time while employed by Kennesaw State University. Upon making a request for ADA Accommodation, the employee must submit an **ADA Accommodation Request Form**.

Once Human Resources is in receipt of an Employee’s completed ADA Accommodation Request Form, the appropriate HR Business Partner will send notification to the employee to confirm receipt and schedule an intake meeting to begin the process.

All information about the disability will be kept confidential except in the following situations: (1) supervisors and/or managers may be informed when restrictions or changes are made to the work, duties or schedules of qualified individuals with disabilities; (2) first aid and safety personnel, to the extent appropriate, will be informed if and when a condition might require emergency treatment; (3) department heads, such as the University’s Legal Officer, the Director of Parking, Director of Facilities or the ADA Officer for students may be informed when the accommodation affects or requires expertise in their area; (4) government officials engaged in enforcing laws such as the Americans with Disabilities Act may be informed.

**Step 2 (as needed): Human Resources obtains Additional Information:** Human Resources may need to obtain additional information regarding the employee’s disability and alternative accommodation options from outside resources such as the Job Accommodation Network (JAN) or the ADA National Network. In addition, Human Resources may seek input regarding accommodation options from internal resources such as the Facilities, Parking and/or Legal

departments and the ADA Officer for Students. Finally, Human Resources may meet with the Employee's Supervisor regarding the essential functions of the employee's job.

**Step 3 (as needed): Human Resources meets with Internal Resources:** Human Resources may request a meeting with internal resources such as the Employee's Supervisor, Department head from the Facilities and Parking departments, the Legal Officer, the ADA Officer for Students and the University's Diversity or EEO Office to discuss the accommodation request and to identify other possible reasonable accommodations which would enable the employee to perform the essential functions of the job.

**Step 4 (as needed): Cost Analysis Performed:** Additional research is completed to estimate the costs associated with the accommodation(s) or to determine the feasibility of the accommodation(s).

**Step 5: Human Resources makes Accommodation Determination:** As soon as administratively possible, Human Resources, utilizing input from the internal resources and external resources if necessary, will take one of the following actions: (1) grant the requested accommodation(s); (2) grant another appropriate and reasonable accommodation(s); (3) not grant an accommodation. A letter will be sent to the employee notifying him/her of the decision. If an accommodation is granted, the letter will detail the time-line and any additional steps for implementing the accommodation.

**Step 6: Appeals:** If an employee does not agree with the Determination, the employee may appeal the decision to the Asst. Vice President of Human Resources. The appeal must be submitted in writing within 15 days of being notified of HR's final determination.