

# DISABILITY ACCOMMODATION POLICY

Policy #HR.006.4Vice President for<br/>Administration &Responsible Executive:FinanceResponsible Office:Human ResourcesOriginally Issued:August 13, 2020Latest Revision:4/5/2024

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# I. Policy Statement

It is the policy of the University of Louisiana at Lafayette ("University") to prohibit harassment, discrimination, and retaliation related to Disability and to provide equal access and opportunity to Employees, Applicants for employment, and Visitors with Disabilities in accordance with state and federal law, to include La. R.S. 23:323, La. R.S. 23:341-342, La. R.S. 46:2594, Section 503 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 and its Amendments Act of 2008 (collectively "ADA"), specifically:

- **Title I** of the ADA which prohibits discrimination against Qualified Individuals with Disabilities in all employment practices, including recruitment, hiring, advancement, compensation, fringe benefits, job training and other terms, conditions and privileges of employment; and
- **Title II** of the ADA which ensures Qualified Individuals with Disabilities have equal access to the full range of programs, services, activities and facilities of the University.

# **II. Purpose of Policy**

The purpose of this Policy is to (a) affirm the University's commitment to providing an equal opportunity for all Qualified Individuals, without regard to Disability; (b) provide procedures for requesting a Reasonable Accommodation and the Interactive Process; (c) designate an ADA agency coordinator; (d) reinforce the prohibition of harassment, discrimination, and retaliation related to Disability; and (e) specify the process for prompt resolution of appeals and grievances related to the outcome of accommodation requests or alleged action prohibited by the ADA and other state and federal laws.

As such, the University will engage in the Interactive Process and provide Reasonable Accommodation, given the requestor is a Qualified Individual with a Disability, and the accommodation does not impose an Undue Hardship on the operation of the University's business or pose a Direct Threat to the health or safety of the individual with a Disability or others.

#### A. Providing Reasonable Accommodation

The decision as to any appropriate Reasonable Accommodation is made by the University on a case-by-case basis. The principal test is whether the accommodation will provide an opportunity for the Qualified Individual with a Disability to achieve the same level of performance and to enjoy benefits and privileges of the University to those without Disabilities.

There is no requirement for the University to provide the exact accommodation requested.

#### 1. Accommodations that are *not* Reasonable

University actions that are *not* required or are *not* reasonable include, but are not limited to, the following:

- Removing an Essential Function from a position;
- Lowering production or performance standards;
- Creating a new position;
- Excusing violations of conduct rules;
- Monitoring an Employee's use of medication;
- Restructuring working hours outside the obligations of an Employee's unit and/or position. Some positions require Employees to be on campus at all times and/or at certain hours and may not have as much flexibility to accommodate requests for changes;
- Actions that would result in Undue Hardship or pose a Direct Threat to the individual or others;
- Requests that will disrupt the University's mission; and
- Providing personal use items needed in accomplishing daily activities, such as:
  - Prescription eyeglasses or readers;
  - Hearing aids;
  - Prosthetic limbs, or a wheelchair; or
  - Services of a personal nature including assistance with eating, toileting, or dressing.

Additionally, Indefinite Leave is not considered a Reasonable Accommodation and will not be provided. Any request for extended leave that does not qualify for protection under the Family and Medical Leave Act will be considered as a Reasonable Accommodation under the ADA and must be for a specific period, after which the Employee will be able to return to work.

#### **B.** Senior Benefits/ ADA Coordinator

The following position has been designated as the agency coordinator for the University's compliance with the ADA, as defined in this Policy:

Malika Oubre, Senior Benefits/ADA Coordinator Office of Human Resources, Compliance P.O. Box 40196, Buchanan Hall Room 111 University of Louisiana at Lafayette Lafayette, LA 70504 (337) 482-1014 <u>HRcompliance@louisiana.edu</u>

The Senior Benefits/ ADA Coordinator is responsible for facilitating the Interactive Process in regard to requests for Reasonable Accommodation, including coordination with other departments or entities as necessary for providing Auxiliary Aids and Services and modifying policies, procedures, and facilities.

#### C. Confidentiality

Any records or information obtained by the University as part of the accommodation process that reflect the diagnosis, evaluation, or treatment of a medical or mental health condition are confidential and will be kept private. Such records and ADA related files are kept separate from Employee personnel files and will be shared only with those University Employees who have a need to know, in order to implement the Reasonable Accommodation. These records will not be released except as required by law.

Information acquired by the Office of Human Resources during the processing of accommodation requests is not a part of psychological counseling and is not subject to the confidentiality regulations applicable to such counseling services.

#### **D.** Protections Against Harassment, Discrimination, and Retaliation

This Policy prohibits discrimination or retaliation against, coercion, intimidation, threats, harassment, or interference toward any individual, including for:

- **1.** Requesting a Reasonable Accommodation;
- 2. Appealing the determination of a Reasonable Accommodation request;
- 3. Opposing or filing a grievance regarding any act or practice prohibited by the ADA;

- **4.** Filing a charge, testifying, assisting, or otherwise participating in an investigation, proceeding, or hearing to enforce any provision of the ADA;
- **5.** Exercising or aiding another individual in the exercise of any right granted or protected by the ADA; or
- **6.** Having a familial, business, social, or other relationship or association with an individual with a known Disability.

Protections against harassment and discrimination are also upheld/enforced by the University's Code of Conduct and Ethical Behavior Policy (HR.002.1) and Non-Discrimination Policy and Procedures (HR.001.3). Additionally, the University will take strong responsive action against any retaliation which will be grounds for a separate violation of the University of Louisiana System Policy on Preventing and Addressing Retaliation (Policy Number: M-(12)).

#### **E.** Mandatory Compliance – Training

To support this Policy and maintain the University's commitment to providing an equal opportunity for all Qualified Individuals, without regard to Disability, the University requires its Senior Benefits/ ADA Coordinator and University Employees serving in supervisory roles to successfully complete one (1)) hour of training on this topic upon hire, appointment, and on a continuing basis thereafter.

At a minimum, the University requires the following training for its supervisors and ADA Coordinator:

- 1. Within ninety (90) days of hiring or being appointed as the University's ADA Coordinator, and every three (3) years thereafter, , the ADA Coordinator is required to complete the most recent training course on the ADA. Certification of successful completion will be documented by the Office of Human Resources.
- 2. Within ninety (90) days of hiring or being appointed into a supervisory role, and every three (3) years thereafter, all supervisors are required to complete the most recent training course on "Providing Accommodations" located in Cornerstone. Certification of successful completion will be documented by the Office of Human Resources.

# **III.** Applicability

This Policy applies to all University Employees, Applicants for University employment, and Visitors.

# **IV.** Definitions

1. <u>Accommodation Records</u>: are any records provided by the individual requesting accommodation, their treating healthcare provider, or supervisor, and those records created by the Senior Benefits/ ADA Coordinator throughout the accommodation process. This includes but is not limited to the Request for Accommodation form, Essential Functions

and position description, Medical Certification form or other Supportive Documentation, and accommodation case files documenting the Interactive Process and outcome of the request.

- 2. <u>Applicant</u>: is an individual pursuing an employment opportunity with the University by submitting appropriate application materials for a specific, vacant position.
- **3.** <u>Auxiliary Aids and Services</u>: are the methods and/or tools used by the University to effectively communicate with individuals who have communication Disabilities (i.e., vision, hearing, or speech Disabilities). Examples include providing documents in an alternate format (e.g., large print, audio recording), use of a qualified reader or sign language interpreter, and technologies such as assistive listening systems and devices, real-time captioning, screen reader software, etc.
- 4. <u>Benefits and Privileges of Employment:</u> are those locations and activities accessible to similarly situated Employees without Disabilities. Reasonable Accommodation related to the Benefits and Privileges of Employment may include making work areas, break rooms, and training facilities available and accessible to all Employees; scheduling University events at locations that are physically accessible; and providing Auxiliary Aids and Services to enable participation in presentations, training and professional development programs, and other University-sponsored events.
- 5. <u>Direct Threat</u>: is a significant risk of substantial harm to the health or safety of an individual with a Disability or others that cannot be eliminated or reduced by Reasonable Accommodation.
- 6. <u>Disability</u>: with respect to an individual, the term "disability" means: (a) a physical or mental Impairment that substantially limits one or more Major Life Activities; (b) a record of such an Impairment; or (c) being regarded as having such an Impairment. The Impairment may be permanent, chronic, or progressive. An Impairment that is episodic or in remission is considered a Disability under the ADA if the condition would substantially limit a Major Life Activity when active.
- 7. <u>Effective Communication</u>: is when individuals who have vision, hearing, or speech disabilities can communicate with, receive information from, and convey information to the University as effectively as individuals without Disabilities.
- 8. <u>Employee</u>: is any University employee including faculty, staff, administrators, and student employees. This includes hourly, salary, part-time, and full-time employees.
- **9.** <u>Essential Function(s)</u>: are the fundamental job duties that an Employee or Applicant must be able to perform, with or without Reasonable Accommodation, to be considered a Qualified Individual.
- **10.** <u>Impairment</u>: is any physiological, mental, or psychological disorder or condition which substantially limits Major Life Activities, including those that are episodic or in remission.

- 11. <u>Indefinite Leave</u>: is when an Employee cannot provide documentation from their treating healthcare provider to indicate whether or when they can return to work to perform the Essential Functions of their job.
- 12. <u>Interactive Process</u>: is an informal process in which the University works collaboratively with the individual requesting accommodation and their supervisor (if appropriate) to clarify the individual's needs and identify and assess the effectiveness of accommodation options to determine an appropriate Reasonable Accommodation. The Interactive Process is not required when the appropriate accommodation is obvious.
- 13. <u>Major Life Activity(ies)</u>: include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Major Life Activities also include the operation of major bodily functions, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
- 14. <u>Pregnancy, Childbirth, or Related Medical Conditions</u>: are limitations arising from Pregnancy, Childbirth, or Related Medical Conditions, known to the University, that require accommodation not covered by the ADA.

# 15. <u>Qualified Individual</u>:

- **a.** Under Title I of the ADA, a Qualified Individual is a person with a Disability who possesses the skills, experience, education, and other job-related-requirements of the position desired or held, and who can perform the Essential Functions of the position, with or without Reasonable Accommodation.
- **b.** Under Title II of the ADA, a Qualified Individual is a person with a Disability who meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the University, with or without Reasonable Accommodation.

# 16. <u>Reasonable Accommodation</u>:

- **a.** Under Title I of the ADA, a Reasonable Accommodation is any modification or adjustment to the application process, job, or work environment that will enable a Qualified Individual to participate in the application process, perform the Essential Functions of a position, or enjoy the Benefits and Privileges of Employment equal to those enjoyed by Employees without Disabilities.
- **b.** Under Title II of the ADA, a Reasonable Accommodation is any modification that ensures Effective Communication for a Qualified Individual with a communication Disability and/or ensures equal opportunity access to University programs, services, activities, and facilities. This includes Auxiliary Aids and Services as well as modifications to policies, procedures, and facilities.

- **17.** <u>Substantial Limitation</u>: is an Impairment that prevents the ability of an individual to perform a Major Life Activity as compared to the average individual in the general population; or a significant restriction as to the condition, manner, or duration under which an individual can perform a particular Major Life Activity. Such consideration is regardless of any mitigating measures such as medication, assistive technology, accommodation, or auxiliary aid (other than ordinary eyeglasses or contact lenses).
- 18. <u>Supportive Documentation</u>: is any medical certification or other documentation from the treating healthcare provider of a Qualified Individual who is requesting accommodation that: (a) verifies the existence of an Impairment or Disability, (b) specifies or provides clarification regarding the limitation(s) resulting from the Impairment or Disability, and/or (c) indicates suggested Reasonable Accommodation.
- **19.** <u>Undue Hardship</u>: is an action requiring significant difficulty or expense when considered in light of factors such as the University's size, financial resources, and the nature and structure of its operation.
- **20.** <u>Visitor</u>: is a Qualified Individual who may request Auxiliary Aids and Services for Effective Communication with the University or other Reasonable Accommodation to participate in, access, or benefit from the University's programs, services, activities, or facilities. A companion of a Qualified Individual, such as a parent, spouse, friend, or associate, with whom the University should also communicate, is considered a Visitor for the purpose of this Policy.

# V. Policy Procedure

It is the responsibility of the individual seeking accommodation to inform the University of their need for Reasonable Accommodation or Auxiliary Aids and Services. Requests for accommodation may be initiated either verbally or in writing. To appropriately document the accommodation process, the individual may be directed to complete and submit the ADA Reasonable Accommodations Request Form for Employees and Applicants found at <a href="https://cm.maxient.co/reportingform.php?UnivofLouisiana&layout\_id=10">https://cm.maxient.co/reportingform.php?UnivofLouisiana&layout\_id=10</a> ("Request for Accommodation Form"). For questions or assistance in completing the request form, individuals should contact the Senior Benefits/ADA Coordinator at <a href="https://cm.maxiena.edu">HRcompliance@louisiana.edu</a> or (337) 482-1014.

# A. Procedures for Requesting Accommodation

The accommodation process will vary depending on the requesting individual's relationship to the University and the nature of the accommodation requested as outlined below.

# 1. Employment

# a. Application/Testing Process

Accommodation related to completion of the job application and/or interview process will be addressed according to the type of position vacancy, as noted below:

- a. For Classified Positions: Requests for accommodations must be submitted to the Louisiana Department of State Civil Service, Testing and Recruiting Office at <u>mytest@la.gov</u>. Additional information regarding accommodations for job seekers with Disabilities, may be found at <u>https://jobs.civilservice.louisiana.gov/TestInformation/Accommod</u> <u>ations.aspx</u> or by contacting the Testing and Recruitment Office at (225) 925-1911.
- **b.** For Unclassified Faculty and Staff Positions: Contact the Senior Benefits/ADA Coordinator at <u>HRcompliance@louisiana.edu</u> or (337) 482-1014. Qualified Individuals may also notify the hiring manager of the position for which they are applying who will refer the request to the Senior Benefits/ ADA Coordinator via the Request for Accommodation Form.

# b. Interview Process

At the time a Qualified Individual is contacted for an interview, the Qualified Individual shall notify the hiring manager if an accommodation is needed for their participation in the interview process. This notification should include the nature of the requested accommodation. The hiring manager shall refer the request to the Senior Benefits/ADA Coordinator via Request for Accommodation Form and collaborate in addressing the accommodation request.

# c. Performance of Essential Functions

- **i.** Current Employees in need of Reasonable Accommodation to perform an Essential Function of their job should address the need with their immediate supervisor then submit a Request for Accommodation Form.
- **ii.** New hires may initiate a request for accommodation at the time of hire or prior to beginning employment by notifying the hiring manager (or the person with whom they interviewed).
- **iii. Supervisors and hiring managers** who receive a request for accommodation from an Employee or Applicant must refer the individual to the Request for Accommodation Form or submit a request form on their behalf, including the duties the individual is unable to perform and the accommodation requested.
  - An Employee or Applicant need not mention the ADA or use the phrase "Reasonable Accommodation" when requesting an accommodation.

- Supervisors and hiring managers are responsible for working in partnership with the Senior Benefits/ ADA Coordinator to address the request for accommodation.
- **iv. Requests resulting from Performance Counseling:** Any supervisor who is informed, in the course of an Employee's job performance counseling, that a physical or mental condition may be affecting that Employee's work performance must consult with their Human Resources Business Partner and report the potential need for accommodation to the Senior Benefits/ ADA Coordinator via the Request for Accommodation Form.

# d. Benefits and Privileges of Employment

An Employee seeking accommodation to access the Benefits and/or Privileges of Employment should notify their supervisor as soon as the need for accommodation is known. Supervisors must refer the individual to the Request for Accommodation Form or submit a Request for Accommodation Form on their behalf.

Requests involving the need for renovation or alteration to campus facilities will require additional collaboration between the Senior Benefits/ ADA Coordinator and the Office of Facility Management and/or the Office of Environmental Health and Safety.

# e. Pregnancy, Childbirth, or Related Medical Condition

In accordance with La. R.S. 23:341-342, an Applicant or Employee with limitations arising from Pregnancy, Childbirth, or Related Medical Conditions may request an accommodation. Such accommodations may include but are not limited to: providing more frequent, compensated break periods; providing a private place, other than a bathroom stall, for purposes of expressing breast milk; modifying food or drink policy; and other accommodations that permit the individual to reduce or eliminate the need for leave.

# 2. Effective Communication

A Qualified Individual with a vision, hearing, or speech Impairment may request accommodation and receive Auxiliary Aids and Services as required to communicate with, receive information from, and convey information to the University for participation in the University's programs, services, and activities.

Auxiliary Aids and Services may be requested by completing the Request for Accommodation Form or by notifying the University representative who is responsible for the event for which for Effective Communication is needed. Any request received by a University representative must be referred to the Senior Benefits/ ADA Coordinator using the Request for Accommodation Form.

Requests for Auxiliary Aids and Services must:

- **a.** Be made as soon as the need for accommodation is known but no later than forty-eight (48) hours before a scheduled program, service, or activity;
- **b.** Include details regarding the specific program, service, activity, or visit for which the individual requires accommodation; and
- c. Specify the Auxiliary Aids and Services requested.

#### 3. Modifications to Policies, Procedures, or Facilities

A Qualified Individual who requires modification to a University policy, procedure, or facility for access or participation in a program, service, or activity offered by the University may request accommodation by completing the Request for Accommodation Form or by notifying the University representative who is responsible for such program, service, or activity. Any request received by a University representative must be referred to the Senior Benefits/ ADA Coordinator using the Request for Accommodation Form.

Requests for modifications to policies, procedures, or facilities must:

- **a.** Be made as soon as the need for accommodation is known but no later than forty-eight (48) hours before a scheduled program, service, or activity;
- **b.** Detail how the current University policy, procedure, or facility limits their access or participation in a specific program, service, or activity due to Disability; and
- **c.** Describe the accommodation requested.

# **B.** Interactive Process and Evaluation of Requests

Upon receipt of a Request for Accommodation Form or following notification of a Qualified Individual's need for accommodation, the Senior Benefits/ ADA Coordinator shall engage in an Interactive Process to include:

# 1. Review of Accommodation Requests

The Senior Benefits/ADA Coordinator will review the Request for Accommodation Form or generate the necessary Accommodation Records for any request that is not submitted in writing and notify the requesting individual of receipt of their request.

# 2. Request for Job Description and Supportive Documentation

Depending on the nature of the Impairment or accommodation requested, the Senior Benefits/ADA Coordinator will request information about the Employee's job description and/or Supportive Documentation of their Impairment, as appropriate.

- **a.** Job Description: An Employee's job description is an up-to-date description of the Employee's position, provided by their supervisor, to include the Essential Functions, work environment, and physical requirements of the position. The job description will assist the Employee's treating healthcare provider in identifying whether the Employee can perform the Essential Functions with or without accommodation.
  - **i. Essential Functions**: Some of the factors used in determining whether a job function is essential are:
    - Whether the reason the position exists is to perform that function;
    - The number of other Employees available to perform the function or among whom the performance of the function can be distributed; and
    - The degree of expertise or skill required to perform the function.
- **b.** Supportive Documentation: Supportive Documentation includes, but is not limited to, the Medical Certification Form or other documentation of the Employee's physical or mental Impairment for which accommodation is being requested, to include the associated limitations and affected Major Life Activities, indication of whether the Essential Functions can be performed with or without accommodation, and suggestion for accommodation. The Employee is responsible for requesting and obtaining the Supportive Documentation from their treating healthcare provider.

# **3.** Consultation with Involved Parties

The Senior Benefits/ADA Coordinator will initiate an interactive dialogue with the requesting individual to discuss any additional information or clarification needed to identify and/or implement an effective accommodation to ensure Effective Communication or access to University programs, services, and activities.

For Employee accommodation requests, this interactive dialogue may include consultation with the supervisor or other appropriate parties regarding the impact of the Impairment on job performance and feedback on facilitating the recommended accommodation options.

# 4. Exploration and Evaluation of Accommodation Options

The Senior Benefits/ADA Coordinator will explore and evaluate appropriate accommodation options taking into account the available information from the requesting individual, their treating healthcare provider, and supervisor, if applicable.

Accommodation options will be evaluated on the following criteria:

**a.** Expected effectiveness in removing barriers to the individual;

- **b.** Ease and feasibility of implementation;
- c. Associated cost; and
- **d.** Requesting individual's preference.

Resources such as the Job Accommodation Network (JAN) and/or Louisiana Rehabilitation Services may be consulted, as appropriate, for assistance in identifying available accommodation options related to a particular Impairment or limitation.

#### C. Determination and Notification of Outcome

The Senior Benefits/ADA Coordinator has the latitude to approve and implement a Reasonable Accommodation and/or modify workplace or departmental policies to provide Reasonable Accommodation to a Qualified Individual. However, the Senior Benefits/ADA Coordinator will seek approval from the Appointing Authority regarding the final determination of accommodations for Classified Employees.

#### **1.** Determination of Request

Following evaluation of available accommodation options, the Senior Benefits/ADA Coordinator will make a determination regarding the Reasonable Accommodation request. The selected Reasonable Accommodation may be temporary or permanent in accordance with the requesting individual's needs.

- **a.** Interim or Trial Accommodations for Employees: If additional evaluation by the Employee's treating healthcare provider is necessary to make an appropriate determination and/or the selected accommodation cannot be implemented within a reasonable amount of time, the Senior Benefits/ADA Coordinator may identify an interim accommodation. Additionally, a Reasonable Accommodation may be implemented on a trial basis until it is determined that the accommodation is effective for the individual.
- **b.** Employee Cooperation: Employees who are referred to the Office of Human Resources for accommodation purposes or who initiate the accommodation process but choose not to submit the necessary Supportive Documentation or engage in the Interactive Process are not recognized by the University as having an Impairment that requires accommodation and thus will not receive an accommodation.

#### 2. Written Notification of Outcome

The Senior Benefits/ADA Coordinator will notify the requesting individual in writing of the decision regarding their request for accommodation.

**a.** If the request for accommodation is approved, the notification will:

- **i.** Specify the Reasonable Accommodation(s) being provided;
- **ii.** Indicate the duration for temporary accommodations;
- **iii.** Identify any expectations, if necessary, related to the implementation of the Reasonable Accommodation(s); and
- **iv.** Provide a timeframe for when the Reasonable Accommodations will be reviewed to determine their effectiveness, if appropriate.
- **b.** If the request for accommodation is denied, or it is determined that there is no Reasonable Accommodation that will enable the Employee to perform the Essential Functions of their job, notification will:
  - i. Provide an explanation for the basis of the denial; and
  - **ii.** Identify other effective resources and/or alternatives, when appropriate; and
  - **iii.** Include information regarding the process to appeal a determination or file a grievance.

#### **3.** Implementation of Accommodation

Depending on the nature of the approved Reasonable Accommodation, the Senior Benefits/ADA Coordinator and/or an Employee's supervisor will be responsible for implementing the accommodation.

Once a Reasonable Accommodation has been approved and implemented, both the Qualified Individual and their supervisor, if appropriate, have an obligation to notify the Senior Benefits/ADA Coordinator of any:

- **a.** Issues regarding the effectiveness of the Reasonable Accommodation;
- **b.** Updated information about the Qualified Individual's Impairment that require modification to the approved Reasonable Accommodation; or
- **c.** Changes to the Qualified Individual's participation in University programs, services, or activities or an Employee's position or employment status.

# **D.** Appeal and Grievance Procedures

# 1. Appeals

Qualified Individuals may appeal the denial of a Reasonable Accommodation request, or the specific Reasonable Accommodation selected by the University. Such appeals will be considered on the following limited grounds:

- **a.** The requesting individual has updated Supportive Documentation that could affect the determination/outcome of the request;
- **b.** The requesting individual alleges that a procedural irregularity in the accommodation process impacted the determination/outcome of the request; and/or
- **c.** The requesting individual alleges that the Senior Benefits/ADA Coordinator had a conflict of interest or bias that affected the determination/outcome of the request.

Individuals who wish to appeal their accommodation determination/outcome are encouraged to first notify the Senior Benefits/ ADA Coordinator. If a satisfactory resolution cannot be reached between the individual and Senior Benefits/ADA Coordinator, or when the basis of appeal is an alleged conflict or bias on the part of the Senior Benefits/ADA Coordinator, the individual should submit a written request for appeal to the Director of Human Resources Compliance and EEO Programs at University of Louisiana at Lafayette | Disability Accommodation Policy: Appeal Request (maxient.com).

# 2. Grievances

Any Employee, Applicant, or Visitor who has a complaint regarding the accommodation process or action prohibited by the ADA is encouraged to contact the Director of Human Resources Compliance and EEO Programs at <u>University of Louisiana at Lafayette | Reporting (maxient.com)</u>.

Detailed procedures for filing complaints related to discrimination may be found in the University's Non-Discrimination Policy and Procedures. Detailed procedures for filing complaints related to retaliation may be found in the University of Louisiana System Policy on Preventing and Addressing Retaliation (Policy Number: M-(12)).

# VI. Enforcement

The Associate Vice President of Administration and Finance, Chief Human Resource Officer is responsible for the enforcement of this Policy.

# VII. Policy Management

Upon adoption, the Vice President for Administration and Finance shall be the Responsible Executive for this Policy. The Associate Vice President of Administration and Finance, Chief Human Resource Officer is the Responsible Officer for this Policy. The management of this Policy is the responsibility of the Office of Human Resources.

# VIII. Exclusions

Not applicable.

# IX. Effective Date

This Policy shall apply to all requests for Accommodations reported on or after the date of adoption of this Policy.

X. Adoption

This Policy is hereby adopted on September 30, 2022.

DocuSigned by:

<u>Joseph Savoie</u> —1405E1487C93461...

Dr. E. Joseph Savoie President

#### XI. Appendices, References, and Related Materials

- 1. <u>Request for Accommodation Form</u>
- 2. ADA Medical Certification Form
- 3. Voluntary Self-Identification of Disability Form
- 4. References:
  - a) Rehabilitation Act of 1973, Section 503
  - b) Americans with Disabilities Act of 1990, Title I
  - c) Americans with Disabilities Act of 1990, Title II
  - d) ADA Amendments Act of 2008
  - e) <u>La R.S. 23:323</u>
  - f) <u>La. R.S. 23:341-342</u>
  - g) <u>La R.S. 46:2594</u>
  - h) Equal Employment Opportunity Commission
  - i) Job Accommodation Network

### XII. Revision History

- Original adoption date: August 13, 2020 (HR.006.1).
- HR.006.2: On <u>September 30, 2022</u>, the Policy was updated. This version includes updates to the Policy with respect to recent updates to the ADA, Titles I and II.
- HR.006.3: On <u>March 6, 2023</u>, the Policy was updated. This version includes updates to the Policy with respect to title of the EEO/ADA Coordinator to Senior Benefits and ADA Coordinator.