



Brandeis University

Disability Accommodation and Complaint Process

Policy Statement

The richness of the Brandeis University community comes from the diversity of its students, faculty, and staff. In this spirit, Brandeis welcomes qualified students, faculty, and staff with disabilities into a community committed to providing a work and academic environment where all have an equal opportunity to contribute to and participate in life at Brandeis. Toward this end, the University is committed to providing "reasonable accommodation/s" to individuals with disabilities in accordance with this policy and in keeping with both state and federal law, including the Americans with Disabilities Act of 1990, as amended.

Applicability

All staff and faculty who request disability accommodations. (Students who are in need of accommodations or believe they have been discriminated against on the basis of disability should contact the Office of Student Life for a referral to the appropriate Disabilities Coordinator.)

Guidelines:

The University complies with state and federal law in the application of its policy to persons with disabilities and accommodations. The following definitions are incorporated in the University's policy:

Disability

A person is considered to have a disability if s/he:

- has a physical or mental impairment that substantially limits one or more major life activities;
- has a record of such an impairment; or
- is regarded as having such impairment.

Major Life Activity

Major life activities may 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.

A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Reasonable Accommodation

A "reasonable accommodation" is defined as any change in the work or educational environment or the way things are customarily done which will allow an individual with a known documented disability to perform the essential functions of a position and enjoy equal employment opportunities.

Undue Hardship

All accommodations are made on a case-by-case basis. The University may deny an accommodation if it is deemed an "undue hardship" to the employer. The University will, however, attempt to find an alternative accommodation, whenever possible.

Management Responsibility

Managers, supervisors or others with management responsibility are encouraged to contact the the Office of Human Resources with any questions or concerns they may have regarding requests for accommodations. No request for an accommodation that is appropriately documented may be denied prior to review by Human Resources staff

Request for a Reasonable Accommodation

Often, a simple discussion and appropriate documentation are all that are needed to provide an accommodation. Accommodations are often low cost and can be accomplished by small changes to work design, workspace, scheduling, and the like.

Faculty and staff are encouraged to contact the Office of Human Resources for help with accommodation requests. Human Resources staff are available to consult with managers or department chairs who need assistance with an accommodation request that is made directly to the manager or department chair.

Documentation

Written documentation supporting requests for accommodations must be provided from a qualified health care professional (non-family member) and must include:

- the nature and expected duration of the employee's limitations as it affects the ability of the employee to perform the essential functions of his/her job;
- specific information to support the need for accommodation/s;
- and recommendations, if any, for the accommodation/s requested.

Documentation should be sent to the Office of Human Resources, Mailstop 118. The information will be treated confidentially, and will be shared only with others on a need to know basis in order to evaluate or facilitate the request.

Human Resources staff will review the health care provider's documentation, the essential functions of the individual's position, discuss the proposed accommodation with the manager or department chair, and determine whether the person can perform the "essential functions" of the position with or without the requested accommodation/s. The University will also engage in an interactive process with the employee to seek input concerning requested or potential accommodations. Human Resources staff makes the final decision for a reasonable accommodation and/or may provide alternatives to the specific accommodation request.

Human Resources staff may consult with qualified healthcare providers at Brandeis Health Center, Mailman Counseling Center, the Employee Assistance Program, or others for advice in making the decisions related to accommodation requests.

Appeals

Faculty and Staff who have been denied a reasonable accommodation may appeal the decision to the Vice President for Human Resources who will review all pertinent materials, discuss the request with the appropriate parties involved and render a decision that is final and binding.

This policy is for general guidance only. It does not create an employment contract or any right to continued employment at Brandeis University. Brandeis University reserves the right to modify, revoke, suspend, terminate and/or change any and all policies and procedures at any time, with or without notice.

*Office of Human Resources
01/2018*