81/Reasonable Accommodation

I. REFERENCES AND RELATED POLICIES
A. UC PPSM 12 - Nondiscrimination in Employment
B. UC PPSM 14 - Affirmative Action
C. UC PPSM 20 – Recruitment
D. UC PPSM 21 – Appointment
E. UC PPSM 43 - Leave of Absence
F. UC PPSM 44 - Work-Incurred Illness and Injury
G. UC PPSM 66 - Medical Separation

II. POLICY
The University provides reasonable job accommodation to otherwise qualified employees who are disabled or become disabled and need assistance to perform the functions of their positions safely and effectively. The interactive process shall be used to determine what, if any, reasonable accommodation will be implemented.

The objectives of this policy are to ensure compliance with other pertinent University policy sections and with state and federal regulations and to foster continuation or resumption of productive work activities for employees with temporary or permanent medical impairments. The focus of the accommodation efforts will begin with accommodation in current jobs and, if necessary, change to accommodation in alternate jobs.

Both the employee with a disability and the department head, or designee, are responsible for ongoing communication to enable timely consideration of accommodation alternatives. The Human Resources Accommodation Counseling and Consulting Services will assist in the evaluation of accommodation alternatives. Contact information is at http://blink.ucsd.edu/Blink/External/Topics/Sponsor/0,1362,1577,00.html

III. THE INTERACTIVE PROCESS
The interactive process is an ongoing dialogue between the employee and appropriate representatives of the University including the department head, or designee and the Accommodation Counseling and Consulting Services Professional about possible options for reasonably accommodating the employee’s disability. Both the University and the employee are expected to participate in the interactive process. Supplemental information is available at http://blink.ucsd.edu/Blink/External/Topics/Policy/0,1162,20852,00.html

An employee may start the interactive process by asking for an accommodation. A request for reasonable accommodation is a statement that an employee needs an adjustment or change to the work environment, schedule, or task performance methods
due to functional limitations caused by a mental or physical medical condition. A request may be made orally or in writing by the employee, or by someone on his or her behalf.

The employee must participate in the interactive process to be eligible for possible job accommodations. The employee is responsible for providing current medical documentation in a timely manner to assist in assessing the employee’s functional abilities and limitations and to facilitate the interactive process to determine possible reasonable job accommodations.

This documentation may be subject to confirmation by a University-appointed licensed healthcare provider. When necessary, the University may require that the employee be examined by a University-appointed licensed healthcare provider. In such a case, the University shall pay the costs of any medical examinations requested or required by the University.

The supervisor must attempt to engage in and to coordinate the interactive process if he or she becomes aware of the disability and the possible need for an accommodation (e.g., an employee mentions a difficulty in performing work duties due to medical treatment for a health condition). If an employee is unable to work for 30 days due to the effects of a medical condition (other than a pregnancy-related medical condition), the supervisor shall consult with the Accommodation Counseling and Consulting Services Professional regarding job accommodation and disability management issues.

The interactive process includes the following steps:

1. Analyze the job requirements and identify essential and non-essential job functions

   A job function is essential if the job exists to perform that function. For example, for a position as a truck driver, safe operation of a truck is an essential function because that is the reason the position exists.

   Additionally, a job function may be essential because:
   - there is a limited number of employees available to perform the function;
   - the function is highly specialized; or
   - a license or special training or specialized education is required to perform the function.

2. Identify job-related limitations by consulting with the employee and by reviewing documented functional limitations.

   The employee and his or her health care provider must provide current documented information concerning the employee’s functional abilities and restrictions. A current job description that outlines essential and non-essential job functions must be provided to the health care provider to enable him or her to determine functional capabilities information and as a basis for job modification recommendations for the University to consider.
3. Identify possible reasonable accommodations

Generally, a reasonable accommodation is one that effectively enables an employee to perform the functions of the job. The University and the employee should identify possible reasonable accommodations with the assistance of the Accommodation Counseling and Consulting Services Professional. Examples include, but are not limited to:

- transfer of non-essential job functions to another employee;
- ergonomic adjustments;
- time off for medical visits;
- modification of work tools or equipment;
- modified work schedule;
- leaves of absence;
- provision of assistive devices; and
- modification of (such as improving access to) existing facilities and work areas.

When other accommodations are not effective, the University may be required to reassign the employee with a disability to a vacant position for which the employee is qualified if the employee is capable of performing the position’s functions safely and effectively with or without job accommodations. Any employee who becomes disabled may be selected through special selection procedures for a position that has not been publicized (see Staff Policy 20.B.3. Exceptions to Recruitment).

An employee who becomes disabled and who cannot be reasonably accommodated in their position may be selected for an open position for which they qualify, and may be given priority consideration for open positions. The Accommodation Counseling and Consulting Services Professional will assist the disabled employee with alternate job placement.

4. Assess whether the proposed accommodation poses an undue hardship

The University need not provide a requested accommodation if to do so would pose an undue hardship. This determination is made on a case-by-case basis. Undue hardship is defined as any action requiring significant difficulty or expense, taking into account such factors as:

- the nature and cost of the accommodation;
- the overall financial resources of the University of California, San Diego;
- the number of persons employed in the facility;
- the effect of the reasonable accommodation on resources; and
- the impact of the accommodation on operations.

No single factor is intended to have any particular weight. Rather, all the factors are considered together in determining whether providing an accommodation imposes an undue hardship on the University of California, San Diego.
The department head or designee shall provide written notice to the employee of the final decision regarding the ability to provide a reasonable accommodation.

5. Implement the reasonable accommodation

Once the reasonable accommodation is implemented, the employee and supervisor (and co-workers, where appropriate) should become fully familiar with any changes in their roles and responsibilities so that the accommodation plan may be successfully accomplished. The employee should be held accountable to perform the job functions at a level at or above established job performance standards.

6. Monitor effectiveness of the reasonable accommodation

Any changes in circumstances, whether in the employee’s condition or in workplace factors, may warrant a re-evaluation of the reasonable accommodation. For example, the receipt of new information regarding functional limitation generates a dialogue between the University and the employee to determine next steps based on the new information.

The interactive process is an ongoing obligation. If a given accommodation is not effective or is no longer effective, the University and the employee must continue to engage in the interactive process to identify possible alternatives, or additional accommodations.

7. Documentation

A written record should be kept of the interactive process and any accommodations that are considered and/or implemented. The Accommodations Counseling and Consulting Services Professional will assist in the completion of the documentation process. The form at http://www.hr.ucsd.edu/rehab/forms/jobaccommodation.doc may be used for this purpose. Medical documentation shall be managed in accordance with confidentiality responsibilities.