



Policy Title:	Access and Reasonable Accommodations Policy for Employees and Applicants for Employment
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Policies Superseded:	None
Policy Management Area(s):	Human Resources and Equal Opportunity

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND COASTAL CAROLINA UNIVERSITY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. COASTAL CAROLINA UNIVERSITY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

SUMMARY:

Coastal Carolina University (CCU) is committed to providing individuals with disabilities equal opportunities in all phases of employment. CCU will, in good faith, provide reasonable accommodations for its qualified applicants and employees as required by the Americans with Disabilities Act of 1990, as amended (the “ADA”); the ADA Amendment Act of 2008; and the Rehabilitation Act of 1973, as amended; and their implementing regulations, and consistent with University and state anti-discrimination policies.

This document sets forth Coastal Carolina University’s policy with respect to reasonable accommodations for employees and applicants for employment.

POLICY

This policy applies to all qualified employees (including student employees) and applicants with a disability.

Volunteers, University affiliates, and community members should contact the ADA compliance officer at ada@coastal.edu for guidance.

Retaliation against an individual with a disability for requesting an accommodation is prohibited.

- I. **DEFINITIONS** – These definitions summarize terms defined by regulations implementing the ADA and the Rehabilitation Act.
 - A. **Accommodation** – A modification, change, or adjustment to an individual’s job, work conditions, or work environment, or to the job application process for an applicant. An accommodation can be a change to the way job functions are typically performed, made in order to provide a qualified individual with equal access to perform the job.
 - B. **Applicant** – An individual pursuing employment with the University by submitting appropriate application materials for a specific, vacant position.
 - C. **Disability** – A physical or mental impairment¹ that substantially limits one or more of an individual’s major life activities. Major life activities refers to functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. The University’s determination of whether an impairment substantially limits a major life activity will be made without regard to the remedial effects of mitigating measures such as medication, medical supplies, equipment, appliances, or prosthetics, except for ordinary contact lenses and eyeglasses.
 - D. **Employee** – Any University employee including FTE faculty and staff, time-limited faculty and staff, research grant, temporary grant, temporary staff, teaching associates, graduate assistants, and students in their capacity as an employee.
 - E. **Qualified** – An employee or applicant is qualified if the individual is able to complete the essential functions of their job with or without reasonable accommodation; an applicant must also satisfy the minimum qualifications for the job for which the individual is applying in order to be considered qualified.

II. **REASONABLE ACCOMMODATIONS**

- A. Coastal Carolina University is committed to removing barriers to create equal access for our employees and applicants through the provision of appropriate reasonable accommodations. The need and benefit of the employee is paramount in the decision-making process.

¹ "Physical or mental impairment" for purposes of this policy and procedure is defined by the regulations promulgated by the Department of Justice (28 C.F.R. 35.104) and includes disorders and conditions such as emotional illnesses and learning disabilities as well as diseases and speech and hearing impairments.

- B. The University will attempt to provide the accommodation requested, but may identify alternative accommodations as long as that accommodation is effective and feasible. Through an interactive process, the University may offer alternative suggestions for reasonable accommodations and discuss the alternative accommodation's effectiveness in removing the workplace barrier that is impeding the individual with a disability.

III. REQUESTING ACCOMMODATIONS

Employees and applicants for employment are responsible for requesting reasonable accommodation(s) and providing documentation of their disability and the need for accommodation(s), as needed.

A. Applicants

1. Applicants may request accommodations in the hiring process or application itself – such as a modification in the manner in which an application is filed. Applicants are responsible for making specific requests so that the University can provide reasonable accommodations; the University will not ask applicants whether they have a disability or need an accommodation. Applicants must make requests for accommodation(s) in the application process in advance of applying for employment; the University will not make retroactive accommodations. Applicant requests for reasonable accommodation in the hiring process should be made through the Office of Human Resources and Equal Opportunity (HREO). Any supervisor or other personnel receiving the request for accommodation must contact the HREO for guidance.
2. The University will not ask applicants whether they have a disability or ask any questions regarding a disability disclosed by the applicant, but may ask applicants whether they are able to perform the essential functions of the job for which they are applying – with or without reasonable accommodation. If an applicant indicates that they can perform the essential functions with reasonable accommodation(s), the University may inquire about the accommodation(s) needed. Accommodation requests will be referred to HREO.

B. Current Employees

1. Employees requesting accommodation(s) should complete an *Employee Reasonable Accommodation Request* form located on the University forms page. HREO may request additional information, including:
 - a. Medical documentation of the individual's functional limitations verifying the disability, which can include a second and even third opinion.

- b. Medical prognosis of a particular, demonstrated, or known symptom of the employee's disability occurring, when relevant to the duties of the job.
2. HREO may consult with the employee and the supervisor or department head, as needed, to determine the essential functions of the job, identify possible accommodations, and assess the possible reasonableness and efficacy in the accommodation assisting the employee. In consultation with the ADA compliance officer, HREO will make an accommodation determination.
3. Once both the disclosure form and appropriate documentation are received by HREO, every effort will be made to determine eligibility and provide related accommodations within 15 business days of submission.
4. After receiving an accommodation, an employee should contact HREO if:
 - a. A supervisor or other University employee is not implementing or recognizing an approved accommodation, or if they have other problems implementing the accommodation.
 - b. The approved accommodation, whether because of changes in the employee's disability, work conditions, or otherwise, proves to be or becomes ineffective.

IV. APPEALS/GRIEVANCE PROCEDURES

Any University students, staff, faculty, community members, patrons, and visitors who believe they have been subjected to discrimination on the basis of disability or has been denied access or accommodations required by law shall have the right to invoke the Informal ADA Grievance Policy.

V. INTERPRETATION AND COMPLIANCE

Questions about this policy or rights and responsibilities concerning discriminatory behavior, including the application of the ADA and the Rehabilitation Act, may be brought to the University's associate director of employee relations and benefit services, EEO, the ADA compliance officer, or the vice president for human resources.

VI. CONFIDENTIALITY

Inquiries about and information regarding requests for accommodation shall, whenever possible, be kept confidential in accordance with applicable University and state regulations/laws. Supervisors and managers may be informed regarding

necessary restrictions on the work or duties of the employee and necessary accommodations.

VII. RELATED POLICIES

Student Accommodation: <https://www.coastal.edu/policies/policyDetails.php?x=127>

Informal ADA Grievance Policy:

<https://www.coastal.edu/policies/policyDetails.php?x=247>