

Reasonable Workplace Accommodations



Approved: August 16, 2010
Revised: March 14, 2014
February 20, 2017
November 25, 2020
January 20, 2026
Next Scheduled Review: January 20, 2031

Procedure Summary

In accordance with Title I, Employment, of the Americans with Disabilities Act (ADA) as amended, and System Regulation 08.01.02 *Civil Rights Protections for Individuals with Disabilities and Certain Other Employees*, the university will not discriminate against any qualified person with a disability because of the disability of that person in such matters as job application procedures, hiring, advancement or discharge practices, compensation, job training, or other terms, conditions, and privileges of employment. Reasonable accommodations for employees with sincerely held religious beliefs will be provided in accordance with the Texas Labor Code, and/or for employees who qualify for the Pregnancy Discrimination Act of 1978 and Section 7(r) of the Fair Labor Standards Act, if the requested accommodation does not constitute an undue hardship.

Definitions

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The ADA defines an individual with a disability as a person who (1) has a physical or mental impairment that substantially limits one or more major life activities of such individual, (2) a record of such impairment, or (3) being regarded as having such an impairment.

Procedure

1. GENERAL

- 1.1. This standard administrative procedure establishes procedures for employees and applicants for employment to request hiring process or job modifications or accommodations in accordance with *System Regulation 08.01.02*.
- 1.2. Employees may be asked to provide reasonable documentation from an appropriate health care or rehabilitation professional in order to determine the efficacy and reasonableness of the requested modification or accommodation if the disability is not obvious. Reasonable accommodation may not be possible if the requested information is not provided.

- 1.3. During the pre-offer stage, search committees may state the requirement of a job and ask if the applicant can meet those requirements with or without reasonable accommodations. Applicants may be asked to demonstrate how they would perform job tasks, as long as all applicants in the job category are asked to do this. However, if an applicant states they need a reasonable accommodation in order to demonstrate the tasks, you must be prepared to provide the accommodation or allow the applicant to identify the type of accommodation needed and describe how the task can be accomplished with that accommodation. If it's reasonably believed that an applicant is not able to perform a job function because of an obvious or voluntarily disclosed disability, the committee may ask that particular applicant to describe or demonstrate how they would perform the function without having to ask all applicants to do so.

2. RESPONSIBILITIES

- 2.1. The Executive Director of Human Resources & Payroll is responsible for coordinating and/or reviewing requests for disability-related modifications or accommodations for employees and applicants for employment.
- 2.2. Applicants for employment are responsible for notifying the Executive Director of Human Resources & Payroll if a modification or accommodation is needed during the hiring process.
- 2.3. Employees are responsible for notifying their supervisor or the Executive Director of Human Resources & Payroll of the need for a modification or accommodation related to a medical condition. They must also notify their supervisor or the Executive Director of Human Resources & Payroll of any changes in their medical condition that further affects their ability to perform the essential functions of their job, or any changes in the effectiveness of job modifications or accommodations provided.

3. REQUESTING A MODIFICATION OR ACCOMMODATION

3.1. Employees

- 3.1.1. Employees may make a request for a job modification or a reasonable accommodation to their supervisor or to the Executive Director of Human Resources & Payroll by completing the ADA Request for Accommodation Form.

3.2. Immediate Supervisor

- 3.2.1. When an employee submits a request for modification or reasonable accommodation directly to his or her supervisor, the supervisor may grant the modification or accommodation. If granted, the supervisor should document the modification or accommodation provided and the duration of its provision and forward the documentation to the Executive Director of Human Resources & Payroll. Supervisors may consult with the Executive Director of Human Resources & Payroll for staff expertise and guidance. This information must be kept confidential and separate from the employee's personnel file. An example of a supervisor approved

accommodation would be a 'stand up' type monitor holder.

- 3.2.2. A supervisor may not deny a request for a job modification or reasonable accommodation without the review and prior concurrence of the Executive Director of Human Resources & Payroll.
- 3.2.3. If an employee or applicant provides information voluntarily regarding their disability, supervisors and hiring manager may only ask questions regarding the employee or applicant's need for accommodation and or functional limitation.
- 3.2.4. Supervisors are encouraged to complete the ADA for Supervisors Faculty (Course #2111125) every two years. Additional training may be provided by Human Resources.
- 3.2.5. Department budget accounts are responsible for funding the accommodation, if approved.

3.3. Job Applicants

- 3.3.1. Individuals with a disability who need assistance in applying for a job should contact the university's Executive Director of Human Resources & Payroll.

3.4. Executive Director of Human Resources & Payroll

The Executive Director of Human Resources & Payroll has the following responsibilities:

- 3.4.1. Provide the employee with confirmation of receipt for any request for any ADA accommodation within 5 business days of receiving the request.
- 3.4.2. Communicate with the supervisor, employee or applicant for employment regarding the ADA accommodation request process and the interactive process for determining the efficacy and reasonableness of disability-related modifications or accommodations.
- 3.4.3. Determine if medical documentation is needed to evaluate a request for a disability-related modification or accommodation. Only documentation related to the existence of a disability and the necessity of a modification or accommodation may be requested.
- 3.4.4. Maintain a log of supervisors who have completed ADA training.
- 3.4.5. Review disability-related requests for modifications or accommodations, including appropriate documentation, and determine;
 - a) If the individual has a disability as defined by the ADA;
 - b) Whether or not the requested modification or accommodation is reasonable;
 - c) Whether or not the requested accommodation will enable the individual to complete the application process or meet the essential functions of the job;

- d) Whether or not there are other reasonable accommodations that are equally effective.
 - e) Notify the employee or applicant for employment in writing of the determination.
- 3.4.6. Consult with the A&M System Executive Director, Civil Rights Compliance and/or General Counsel if any questions arise about specific requests for modifications or accommodations.
- 3.4.7. The Executive Director of Human Resources & Payroll and the supervisor may jointly decide the feasibility and applicability of the request.
- 3.4.8. If job modification or accommodation is implemented, a periodic review of the modification or accommodation may be conducted by the Executive Director of Human Resources & Payroll to determine the continuation or discontinuation of the modification or accommodation. The employee is responsible for notifying the supervisor or the Executive Director of Human Resources & Payroll of any changes.
- 3.4.9. An employee has the right to appeal a decision in accordance with System Regulation 08.01.01 Civil Rights Protection and Compliance.
- 3.4.10. Texas A&M University-Central Texas will maintain the confidentiality of all medical and ADA information. Records will be maintained in the Human Resources office separate from personnel files and will be accessible only by authorized personnel.
- 3.4.11. The Executive Director of Human Resources & Payroll may consult with the A&M System Executive Director, Civil Rights Compliance and/or General Counsel about specific requests for modifications or accommodations.

Related Statutes, Policies, or Requirements

[System Policy 08.01 Civil Rights Protections and Compliance](#)

[System Regulation 08.01.01 Civil Rights Compliance](#)

Contact Office

Human Resources
254-519-8015