

Wofford College Reasonable Accommodation Policy for Employees and Applicants for Employment

I. Statement of Policy

Wofford College does not discriminate on the basis of race, color, creed, religion, sex, age, national origin, disability, veteran status, sexual orientation, or any legally protected class. (Wofford Board of Trustees, adopted October 2012). The College is committed to equal opportunity in all aspects of employment and education. In accordance with the Americans with Disabilities Act (ADA), the Rehabilitation Act of 1974, and applicable federal and state laws, and consistent with the college's Nondiscrimination and Anti-Harassment Policy, Wofford College does not discriminate against qualified individuals with disabilities in the administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs, or in any aspects of its employment of faculty and staff.

It is the policy of Wofford College to provide reasonable accommodations in employment to any qualified individual with a disability unless the accommodation would impose an undue hardship on the operation of the College's business or would change the essential functions of the position. Retaliation against an individual with a disability for utilizing this Policy is prohibited.

II. Scope of Policy

This Policy is applicable to all College employees and applicants for employment during the application and interview process.

Visitors with disabilities may request reasonable accommodations necessary to participate in a Wofford sponsored activity that is open to the public. Requests should be submitted in advance of the event, providing a reasonable amount of time for the College to respond. Requests can be made via the "[Event Accommodation Request Form for Visitors](#)" or to Wofford's Title IX Coordinator at hammettmk@wofford.edu.

III. Oversight

The Accessibility Services Manager is responsible for overseeing and implementing this Policy. The Accessibility Services Manager will work closely with the Director of Accessibility Services, ADA Coordinator, and other appropriate personnel to ensure compliance with applicable laws and to implement and enforce access to reasonable accommodations.

IV. Confidentiality and Privacy

Individuals may be required to submit documentation from a medical or mental health professional in order for the College to facilitate access to appropriate accommodations. Any documentation will be submitted to the Accessibility Services Manager and will be kept private. Records will be shared only with employees who have a need to know and will not be released except as required by law. Information and documents relating to an employee's

disability are kept separate and apart from personnel files, and access is limited.

In some instances, information will be shared with certain individuals such as the ADA Coordinator, Human Resources staff members, supervisors, and individuals responsible for arranging necessary accommodations. Information provided will be limited to what the individual needs to know in order to perform their job.

V. Employee Procedures for Requesting a Reasonable Accommodation

Employees must identify themselves as having a disability and request reasonable accommodations. In rare circumstances, like when a disability and associated need for an accommodation is obvious, a supervisor or Human Resources staff member may initiate this process. Employees are expected to participate in good faith in the procedures herein. Failure to do so could delay consideration of a request or result in its denial.

Employees with questions or who need assistance completing the process are encouraged to contact the Accessibility Services Manager at hammettsc@wofford.edu.

- A. Submitting a Request:** Employees must submit a request for accommodations through the online “Employee Accommodation Request” form on myWofford. Employees who need assistance submitting the online request form should contact the Accessibility Services Manager at hammettsc@wofford.edu.
- B. Documentation:** To determine an employee’s eligibility to access reasonable accommodations, the Accessibility Services Manager may ask the employee to provide written documentation from their licensed healthcare provider regarding the employee’s disability. If, after a review of the documentation, the Accessibility Services Coordinator finds the documentation to be insufficient or has additional questions for the healthcare provider, the employee will be notified and may be requested to sign a release form for the Accessibility Services Manager to speak with the healthcare provider.

Documentation should include the following information:

- Whether the employee has a physical or mental impairment. If yes, provide the nature of the impairment
- Whether the impairment substantially limits one or more major life activities as compared to most people in the general population. If yes, list the major life activities that are impacted
- Describe the employee’s limitations related to the impairment
- Describe limitations that interfere with job performance or access to a benefit of employment
- Describe which job functions or benefits of employment the employee is having trouble performing or accessing due to the limitations
- Describe how the employee’s limitations interfere with their ability to perform the job functions or access a benefit of employment
- Provide any suggestions regarding possible accommodations to improve job

performance

- Describe how suggested accommodations would improve the employee's job performance

C. Interactive Process: The process for reviewing accommodations requests is collaborative and interactive.

- **Review of request and documentation.** The Accessibility Services Manager will review the submitted request and any relevant documentation and may speak with the employee to determine whether the employee has a condition that significantly impacts one or more major life activities (a disability). *See* Section V (B) for additional information about documentation. If the Accessibility Services Manager determines that an employee does not have a condition that rises to the level of a disability, the employee has a right to appeal to the ADA Coordinator (*see* Section VIII).
- **Supervisor notification and meeting.** If the Accessibility Services Manager determines that the employee has a condition that rises to the level of a disability, the Accessibility Services Manager will send a notification to the employee's supervisor with the following information: specific limitations the employee experiences due to their disability; possible reasonable accommodations that have been identified by the employee, the Accessibility Services Manager, and/or the employee's healthcare provider; and information to assist the supervisor in identifying essential functions of the employee's job and reasonable accommodations.

The Accessibility Services Manager, employee, and the employee's supervisor will meet to determine what, if any, accommodation is reasonable and appropriate to provide the employee with the opportunity to be successful in completing the essential functions of their job.

The Accessibility Services Manager, in consultation with appropriate administrators, has the discretion to modify workplace and departmental policies in order to provide a reasonable accommodation.

If a reasonable accommodation cannot be identified, the employee has a right to submit an appeal to the ADA Coordinator (*See* Section VIII).

- **Submission of accommodation plan.** If a reasonable accommodation is identified during the Accessibility Service Manager's meeting with the employee and the employee's supervisor, an accommodation plan will be submitted to the Director of Human Resources and, if the employee is a faculty member, to the Provost for final review and approval. The accommodation plan will include the following information: specific limitations the employee experiences due to their disability, the essential functions of the employee's job, the timeframe for the accommodation (if the disability and/or accommodation is temporary), and the accommodation(s). If, upon review of the accommodation plan, the Director of Human Resources or, when applicable, the Provost determines other measures should have been considered (like

leave under the Family Medical Leave Act), the identified accommodations would impact the employee's employment status, or the identified accommodations are not reasonable, the Director of Human Resources and/or the Provost will send the accommodation plan back to be amended or assist with appropriate steps to determine other appropriate options for the employee.

If an accommodation plan is not approved, either initially or upon request for amendment, the employee has a right to submit an appeal to the ADA Coordinator (*see* Section VIII).

If the accommodation plan is approved, appropriate personnel will be notified of the accommodation(s) or steps that need to be taken to implement the accommodation(s).

D. Amending accommodations. If approved accommodations are not effective or the employee experiences different limitations due to their disability, the employee and/or the employee's supervisor should contact the Accessibility Services Manager to request a meeting to update the accommodation plan. The Accessibility Services Manager will work with the employee and supervisor to determine whether alternative reasonable accommodations exist and, if so, to submit the updated plan to Human Resources pursuant to Section V (C).

VI. Applicants. Applicants with disabilities can request accommodations reasonable and necessary to participate in any part of the hiring process, including completion or submission of the application or participation in an interview. Applicants must make requests in advance and should allow a reasonable amount of time for their request to be reviewed. The College will not make accommodations retroactively.

Applicant requests for reasonable accommodations should contact the Office of Human Resources at humanresources@wofford.edu. Applicants may be asked to submit supportive documentation through the Accessibility Services Manager.

VII. Supervisors' Responsibilities

Requests for Accommodations: Supervisors who receive a request for accommodation will refer the employee to the Accessibility Services Manager and notify the Accessibility Services Manager of the request via email at hammettsc@wofford.edu.

Impacted Work Performance: Supervisors who are informed, during any meeting or discussion, that an employee's work performance is being impacted by a physical or mental impairment must refer the employee to the Accessibility Services Manager and notify the Accessibility Services Manager of the information provided by the employee at hammettsc@wofford.edu.

Essential Job Functions: Supervisors should ensure that employees' job descriptions are kept up to date with a list of essential duties that must be carried out by each employee.

VIII. Grievance Procedures

Appeal: If Wofford College denies or proposes modification of an applicant or employee request for accommodations, the College will provide written notice of denial or modification, the reasons for the denial or modification, and the right to appeal through these grievance procedures.

In instances where a dispute or disagreement regarding an accommodation cannot be promptly resolved informally by the college, applicants and employees may submit an appeal to the ADA Coordinator at accessibilityservices@wofford.edu.

The ADA Coordinator may review the employee's documentation; speak with the employee, Accessibility Services Manager, the employee's supervisor, Provost, and/or staff in Human Resources; and take other necessary steps to determine whether a decision should be overturned. The decision of the ADA Coordinator is final.

Complaint of Discrimination or Harassment Based on Disability: Complaints of discrimination or harassment on the basis of disability should be submitted to the via the online [Discrimination and Harassment Reporting Form](#) on myWofford. Wofford's Nondiscrimination and Anti-Harassment Policy can be found at <https://www.wofford.edu/Wofford.edu/Documents/Diversity-and-Inclusion/nondiscrimination-and-anti-harassment-policy-and-procedures.pdf>.