



## HR Related Policies & Procedures

Eff. Date: October 22, 2004

Revised:



FSU-HRPP 04:15

# Disabled Employees and the ADA

## COVERED EMPLOYEES

- All employees.

## HR PROCEDURES/DESCRIPTION/DEFINITIONS

The employment provisions of the Americans with Disabilities Act (ADA) became effective July 26, 1992. State and federal laws prohibit discrimination against individuals with disabilities.

### I. Responsibilities

- A. Human Resources (HR) is responsible for coordinating employment-related issues and concerns set out in Title I of the Americans with Disabilities Act (ADA). Issues for which HR is responsible include, but are not limited to:
  1. Review of job descriptions and positions to indicate/identify essential functions.
  2. Work with department supervisors on requests from applicants and employees for employment accommodations and determinations of reasonableness.
  3. Act as a liaison between Ferris and outside agencies for assistance with ADA employment accommodation issues.
  4. Provide education and training to the University community on ADA employment issues.
  5. Work with the Office of the General Counsel on complex ADA employment-related issues.
  6. Maintain activity records of requests for accommodation, the process and outcome, including timelines.

- B. Office of the General Counsel is the University department responsible for the coordination and compliance with all titles of the ADA. Issues for which the Office of General Counsel is responsible include, but are not limited to:
1. Coordinate the University's compliance with State and federal non-discrimination laws, including the federal Vocational Rehabilitation Act of 1973, the federal Americans with Disabilities Act and the amended Michigan Persons with Disabilities Civil Rights Act.
  2. Serve as the grievance office designated to handle any complaints or concerns regarding the University, its programs, procedures or employees.

## II. Procedures

- A. An applicant for employment needing a reasonable accommodation should submit his/her request, in writing, to HR. Michigan law requires an employee to notify the University of his/her need for an accommodation in writing within 182 days after the employee knew or reasonably should have known of the need for accommodation. A current employee should submit his/her request for an accommodation, in writing, to the departmental supervisor. The supervisor ensures that a copy of the accommodation request is sent to HR. [Affirmative Action Policy Disability Self Identification Form](#)
- B. Requests for accommodation must be accompanied with verification from a licensed physician, psychologist or appropriate health care provider. The University retains the right to receive a second opinion or clarification on the disability.
- C. HR, in consultation with the department supervisor, will:
1. Verify whether the disability is covered under the provisions/definitions of Title I of the ADA.
  2. Work with the employee and supervisor in deciding what accommodation is needed.
  3. Determine, in consultation with the supervisor, whether the accommodation request is reasonable.
  4. Notify the Office of the General Counsel as needed.
- D. If an employee believes that a violation or potential violation of State or federal non-discrimination laws has occurred, is occurring or will occur, he/she should notify:

Office of the General Counsel  
McKessy House  
Ferris State University  
120 E. Cedar Street  
Big Rapids, MI 49307-2202  
(231) 591-3894

The Office of the General Counsel will work with the employee and the appropriate University departments to resolve the alleged violation.

### **RESPONSIBILITY**

Employee: Notify the University of his/her need for an accommodation in writing within 182 days after the employee knew or reasonably should have known of the need for accommodation. Applicants should notify HR. Current employees should notify their supervisor.

Supervisor: The supervisor ensures that a copy of the accommodation request is sent to HR.

Refer Questions To: *Human Resources or Office of the General Counsel*