

Issued: December 11, 2017
Responsible Official: Executive Vice President and Chief Operating and
Financial Officer
Responsible Office: Human Resources

Policy Statement

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The University of Memphis is committed to equal opportunity in all aspects of employment for qualified individuals with a disability. In accordance with the Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973, it is the policy of the University to provide reasonable accommodations in employment unless the accommodation would impose an undue hardship on the operation of the University's business or change the essential functions of the position.

Purpose

To establish a process in accordance with ADA/ADAAA which allows employees to request a workplace accommodation.

Definitions

Disability

A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment.

Reasonable Accommodation

Changes to the work environment that may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, modified work schedules, acquisition or modification of equipment devices and any additional changes that may be required to assist the employee.

Undue Hardship

An action requiring significant difficulty or expense by the University.

Essential Functions of the Job

Those activities that are determined by the University to be essential or core to performing the job and cannot be modified.

Transitional Duty

A short-term or temporary modification of work assignment to conform to temporary, physical limitations and/or medical restrictions.

Transitional Duty Plan

A written plan based on restrictions from the treating healthcare provider that will include the details for transitional duty with the goal of returning the employee to full duty.

Procedures

Applicability

All University employees and applicants for employment are covered in the application process.

Applicants

Applicant requests for reasonable accommodation during the hiring process may be made to the hiring official or to Human Resources-Workforce Management at (901) 678-3573 or email workforce@memphis.edu .

Accommodation Request

Employee requests for reasonable accommodations must be made to the Human Resources-Office of Benefits Administration (Benefits) by completing the Accommodation Request form or by visiting the office located at 165 Administration Building, Monday-Friday, between the hours of 8:00 a.m. – 4:30 p.m. Managers and supervisors should immediately direct employees to Benefits for assistance and/or guidance and to begin the interactive process.

Once an employee makes a request for an accommodation he/she is required to cooperate throughout the interactive process by providing information as to how the disability affects his/her ability to perform the essential functions of the job, attending meetings to discuss accommodation needs, timely providing current medical information, and identifying what workplace accommodations are necessary to assist in performing the job duties.

Medical Information and Documentation

Medical documentation supporting functional limitations may be requested to support the request. All medical documentation collected will be maintained in medical files and treated as confidential. Information will only be shared with appropriate personnel and/or administrators on a need to know basis unless the employee specifically authorizes sharing of the information.

Upon completion of the interactive process, Benefits will assess whether the request for a workplace accommodation is reasonable and determine, what, if any, accommodation is appropriate for both the employee and the University. While consideration is given to the accommodation request made by the employee, the University will choose the most reasonable, easiest and effective workplace accommodation to implement.

Return to Work

As part of the interactive process, the University will facilitate temporary, transitional duty (TD) assignments for employees who may be unable to return immediately to regular, full duty.

Employees may be released to resume assigned job duties with or without restrictions. In the case of a workplace illness or injury, Benefits will serve as the Return to Work Coordinator who will partner with departments to identify transitional duty opportunities for a short-term to accommodate temporary, physical limitations and/or medical restrictions.

Refusal of Transitional Duties An employee may choose to accept or reject a TD assignment. If rejected, the employee will be treated in accordance with the applicable University leave policy. In the case of workers' compensation, **rejection** of a TD may result in cancellation or reduction in workers' compensation benefits.

Termination of Transitional Duty Assignment Transitional Duty assignment will end at the earlier of the following:

- The employee is released to return to work at full duty.
- The employee reaches maximum medical improvement (MMI) but is still unable to perform the essential functions of the job.
- Transitional duty assignments expire at the end of ninety (90) calendar days. If the healthcare provider anticipates a return to work in a reasonably short period, the TD assignment may be extended up to an additional sixty (60) days upon approval of the Human Resources Office. Additional medical certification may be required.

Appeals Process Employees or applicants who are dissatisfied with a determination regarding an accommodation request or who believe the decision(s) was reached improperly or unfairly may file a complaint with the Office for Institutional Equity (OIE). The complaint will be handled in accordance with [GE2024 - Discrimination, Harassment - Complaint and Investigation Procedure](#) policy.

Retaliation Retaliation against a person who files a complaint alleging a violation of this policy or any other act of discrimination or harassment, opposes a charge, testifies, assists or participates in an investigative proceeding or hearing is strictly prohibited. Violators may receive disciplinary action up to and including termination.

FAQs

Who do I contact for additional information Contact Benefits at benefits@memphis.edu .

Links

**Family, Medical and
Servicemember Leave**

[HR5028 - Family, Medical and Service Member Leave](#)

Leaves of Absence

[HR5025 - Leaves of Absence](#)

**Accommodation Request
Form**

https://memphis.co1.qualtrics.com/jfe/form/SV_3Ux9uwtxyJx9JUUp

Revision Dates

HR5062 - Supersedes UM1827 March 27, 2018
UM1827 - Revised December 11, 2017
UM1827 - June 7, 2017

Subject Areas:

Academic	Finance	General	Human Resources	Information Technology	Research	Student Affairs
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