

**UNIVERSITY OF CALIFORNIA, MERCED  
LOCAL PROCEDURES FOR ACCOMMODATIONS MANAGEMENT**

RESPONSIBLE OFFICIAL : Assistant Vice Chancellor Human Resources  
EFFECTIVE DATE : August 2013  
REVISION NUMBER : Original  
NUMBER OF PAGES : 6

**REFERENCES AND RESOURCES:**

- UC PPSM 12 – Nondiscrimination in Employment
- UC PPSM 14 – Affirmative Action
- UC PPSM 20 – Recruitment
- UC PPSM 21 – Appointment
- UC PPSM 66 – Medical Separation
- UC PPSM 81 – Reasonable Accommodations

**DEFINITION(S)**

**A. Disability:**

1. A physical or mental impairment that substantially limits one or more major life activities; or
2. A record of a physical or mental impairment that substantially limited a major life activity; or
3. When an employee is regarded as having an impairment that is **not** transitory and minor.

**B. Substantially Limits:** a term meant to be construed broadly in favor of expansive coverage, and the limitation may be temporary or permanent.

**C. Accommodations Manager:** The Accommodations Management employee responsible for consulting with personnel and supervisors regarding the interactive process and accommodation requests.

**D. Essential Functions:** To be “essential,” the job function must meet at least one of the following criteria:

1. Removing the function would fundamentally change the position.
2. A limited number of employees are available to do the function, as determined via the interactive process.
3. The functions performed are highly specialized, and the employee is hired based upon expertise.

4. There are serious consequences from failure to perform the function.

**E. Interactive Process**-The interactive process is an ongoing dialogue between the employee and appropriate representatives of the University, including the supervisor or department head and the Accommodations Manager, about possible options for reasonably accommodating employees and qualified applicants.

**F. Medical Documentation:** The employee is responsible for providing medical documentation to assist in understanding the scope of the employee's functional limitations. When necessary, the University may require that the employee be examined by a University-appointed, licensed healthcare provider. In such a case, the University shall pay the costs of any medical examinations requested or required by the University.

**G. Medical Separation:** An employee with a disability who is unable to perform the essential functions of his or her position with or without a reasonable accommodation may be medically separated after the University has engaged in the interactive process with the employee ([PPSM 66, Medical Separation](#)).

**H. Reasonable Accommodation:** A reasonable accommodation is a reasonable change or modification that will enable an employee to perform the essential functions of the job and that will not pose undue hardship to the employer. In addition, it includes reasonable modifications to a job application process. Examples of reasonable accommodations are described in [PPSM 81 – Procedure, B-3](#)

**I. Request for Reasonable Accommodation:** A statement that an employee needs a work-related adjustment or change due to a medical condition or religious belief.

**J. Alternative Placement:** An employee who becomes disabled may be selected for an open position for which they qualify, whether or not the position has been publicized. Attempts for alternate placement will be made before consideration of medical separation.

## **PROCEDURE:**

### **A. Interactive Process**

The interactive process is an ongoing dialogue among the employee, the employee's supervisor, and the Accommodations Manager to determine reasonable and appropriate accommodations for qualified UC Merced employees. An accommodation is reasonable if it does not impose an undue hardship on the department.

Reasonable accommodation can include, but is not limited to, the following:

- Modified job duties
- Modified work schedule
- Modified uniform requirements
- Leave of absence
- Modified equipment and/or work spaces

Reasonable accommodation is done on a case-by-case basis, and will involve different analysis for temporary versus permanent requests.

### **B. Employee Role**

An employee may start the interactive process by requesting a reasonable accommodation directly from the supervisor, or from Accommodations Management. The employee may make the request orally or in writing, as there is no requirement for formality in the request.

Once the University is informed, or becomes aware of the need for an accommodation, it will coordinate the interactive process. Participants in the process may include the employee, the supervisor, the Accommodations Manager, the employee's medical provider(s), union representatives, or other appropriate University representatives.

The employee must respond to reasonable requests for information in a timely manner, and must participate in the interactive process to be eligible for accommodation.

### **C. Supervisor Role**

Supervisors are responsible for initiating the interactive process if they become aware that a health condition or religious belief may be affecting an employee's ability to perform the essential functions of the job.

Examples of when an employer must start the process include, but are not limited to:

- An employee informs a supervisor that he or she is having trouble working full days because of medical appointments.
- A supervisor learns that an employee cannot do a certain task or use a particular device on the job because of pain or other symptoms.
- An employee or employer's insurer informs the supervisor of medically recommended work restrictions.
- An employee informs the supervisor that his/her religious beliefs require a modification to existing practices.

Once the supervisor is informed or becomes aware of the possible need for accommodation, the Accommodations Manager must be promptly notified.

If the supervisor and employee work out reasonable accommodations without assistance, Accommodations Management must be notified of the reasonable accommodations provided to ensure proper tracking and compliance reporting. (Attachment A)

#### **D. Interactive Process Steps**

The Interactive Process involves consultation among the employee, the supervisor, the Accommodations Manager, and possibly pertinent health care providers or institutions of religion.

All steps must be timely, conducted in good faith, and documented.

1. Analyze the job requirements and identify all essential functions of the job.
2. Identify specific, job-related functional limitations that impact essential function performance and whether those limitations are temporary or permanent.
3. Identify possible reasonable accommodations through evaluation of employee accommodations requests.

Specifically, the steps of the process entail the following:

1. The employee informs the department of his/her functional limitations and the need for reasonable accommodation and provides documentation from a healthcare provider of functional limitations.

2. The department gives primary consideration to the requested accommodation and provides it, if the requested accommodation is "Reasonable" and will not impose undue hardship on the University. The department can obtain assistance in identifying alternatives from the Accommodations Manager.
3. The supervisor informs the employee whether the request for accommodation is approved, approved with modifications, or is denied. If the accommodation is approved, the employee and supervisor implement the accommodation. The supervisor completes the "Report of Reasonable Accommodations Provided" (Attachment A) and submits the completed form to the Accommodations Manager.
4. If the department is unable to accommodate the employee, the department contacts the Accommodations Manager to further the interactive process.
5. The Accommodations Manager analyzes the essential functions of the job, reviews functional limitations of the employee, consults with the employee and supervisor and then makes a recommendation as to whether the department should accommodate.
6. If reasonable accommodation cannot be made for performance of the essential functions, the Accommodations Manager determines the employee's eligibility for special selection for reassignment to other positions as described in PPSM 81, and as follows:
  - a. The Accommodations Manager will work closely with the individual to review and evaluate suitable vacancies.
  - b. The Accommodations Manager will review vacancy listings and consult with the Employment Unit to evaluate suitability of certain vacancies for qualified individuals.
  - c. If a potentially suitable open and vacant position exists, the Accommodations Manager or the Employment Manager will contact the hiring department. The Accommodations Manager and Employment Manager will jointly make the determination whether the individual is minimally qualified and can perform the essential duties of the position, with or without reasonable accommodation.
  - d. The hiring department meets with the individual for a qualifications review to confirm that they are minimally qualified for the position. This can occur before the publication of the vacancy or after the position closes.
  - e. If the hiring department confirms that the individual is minimally qualified, the hiring department makes an offer of employment.

***\* If a reasonable accommodation request is not approved, the employee has the right to appeal the decision through the campus protocol for Reasonable Accommodation Appeals.***

## **EQUAL OPPORTUNITY**

Staff, faculty, student employees or applicants for employment who believe they have been discriminated against are encouraged to contact the campus EEO/AA Officer in Human Resources. Retaliation or harassment against a person who files a complaint of discrimination, participates in an investigation of such a complaint, or opposes an unlawful employment practice, is prohibited and violations should likewise be reported to the EEO/AA Officer. The Section 504, ADA Title 1 Compliance statement will be incorporated into the campus publications and recruitment materials on an ongoing basis and made available to applicants, students, employees, and other interested parties.

## **ATTACHMENTS:**

Attachment A – Documentation of Reasonable Accommodation