



## Employee's Guide to Reasonable Accommodation and the Interactive Process

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### STATEMENT OF POLICY: ADA and Reasonable Accommodation

California State Polytechnic University, Pomona (Cal Poly Pomona) is committed to maintaining an inclusive learning and working environment in which all individuals are treated with dignity and respect. To that end, Cal Poly Pomona strives to make its programs, services, and activities accessible to students, faculty, staff, and members of the general public who have disabilities. This policy is in accordance with applicable state and federal laws including, but not limited to the Americans with Disabilities Act (ADA), Sections 504 and 508 of the Rehabilitation Act of 1973, the California Fair Employment and Housing Act (FEHA), Government Code § 12940 et seq., and Education Code §§ 67302 and 67310-13.

Under the ADA and FEHA, qualified individuals with disabilities must have equal access to all aspects of employment that are available to employees who do not have disabilities. Those Acts also require employers to provide individuals who have disabilities, reasonable accommodations that will allow them to perform the essential functions of their jobs. Cal Poly Pomona is fully committed to ensuring equal employment opportunity for qualified applicants and/or employees with disabilities and engages in a timely, good faith, interactive process to determine effective reasonable accommodations.

Cal Poly Pomona's ADA Coordinator of Employee and Labor Relations is responsible for the initial review and processing of employee requests for disability-related accommodations.

#### Manuel Montilla, ADA Coordinator

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### Requesting Reasonable Accommodation

The University has established procedures for use by both applicants for employment and current employees who wish to request a disability-related accommodation.

#### Applicants for Employment

Applicants who require an accommodation during the application process should contact the ADA Coordinator in Employee and Labor Relations at (909) 869-4095. The ADA Coordinator will work with the Office of Human Resources for requests relative to staff positions and with the Office of Faculty Affairs for requests relative to faculty positions.

#### Current Employees

To request a disability-related accommodation, you must:

1. Communicate your need for an accommodation to your supervisor.
2. Submit the following **two forms** to Employee and Labor Relations:
  - A. [Employee Request for Disability Related Accommodations](#) form. You must complete this form to ensure that all necessary information such as the following is provided:

- The type of accommodation requested;
- An explanation of the physical limitation for which the accommodation is needed; and,
- A description of how the accommodation will allow you to perform the essential functions of your job.

Note: You are **not** required to disclose your disability (diagnosis), only your limitations/restrictions.

The form is to be signed by your supervisor only as an acknowledgement of receipt of your request for an accommodation.

**B.** [Medical Provider Inquiry Form](#) (MPIF) Your physician/medical provider must complete this form. It provides the following information at a minimum:

- A description of your functional limitation as it relates to your job duties, including its anticipated duration (e.g., whether it is a temporary or a permanent impairment). If temporary, the anticipated date that your functional limitation will end must be provided;
- A description of your functional limitation caused by your disability in work-related terms. For example, if “no prolonged walking” is requested, the medical statement should specify how long or how far you are able to walk; if rest periods are required, the medical statement should specify how often and how long the rest periods should be, etc.; and,
- The permanent or long-term impact, or the expected impact, resulting from your impairment;

Your physician must submit medical documentation with the form, to provide evidence of your functional limitation in support of the request for a disability-related accommodation.

If alternative or additional medical documentation is provided, the documentation must be dated and written on official letterhead. The treating health care professional must be identified (e.g., M.D., D.O., D.C.) and the documentation must be signed by the treating health care professional.

**Note:** This form, (the MPIF), and any other medical documentation should be provided **directly to Employee and Labor Relations** where it will be kept in a confidential file.

- 3.** Actively engage in good faith in an ongoing **Interactive Process**<sup>1</sup> with your supervisor and/or manager and the University ADA Coordinator to discuss and determine the essential functions of your position, your precise job-related limitations, the potential reasonable accommodation that may enable you to perform the essential duties of your job, and to assess the effectiveness of the accommodation provided.
- 4.** Notify Employee and Labor Relations in the event that you would like to request a different or additional accommodation.

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<sup>1</sup> More details on the Interactive Process are available at the [Job Accommodation Network](#) website

**Note:** The University will consider any requests or preferences stated by the employee, but the University has the ultimate discretion to select the appropriate accommodation based on legitimate business justification, including but not limited to cost and campus/workplace impact.

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### **Role of the ADA Coordinator in the Ongoing Process of Reasonable Accommodation**

In assisting you with the process of requesting a disability-related accommodation, the ADA Coordinator:

1. Receives your Request for Disability Related Accommodation Form and Medical Provider Inquiry Form (and/or other accompanying medical documentation from your physician);
2. Reviews both forms to determine if you have a qualifying medical condition as defined by the ADA which the University is obligated to attempt to accommodate;
3. If it is determined that you have a qualifying condition, the ADA Coordinator sends a memorandum to your supervisor instructing him/her to contact the ADA Coordinator to begin the Interactive Process with you, if it has not already been initiated;
4. The ADA Coordinator provides, upon request, guidance to employees, in requesting a reasonable accommodation, and to managers, and supervisors in engaging in the Interactive Process;
5. Maintains records related to your disability accommodation in a confidential file which is kept separately from yours personnel file; and