

	MOREHOUSE SCHOOL OF MEDICINE HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	POLICY NUMBER	HR 1.04
		EFFECTIVE DATE	3-01-2010
		PAGE (S)	3
	<u>SUBJECT</u> ACCOMMODATION OF DISABILITIES POLICY	SUPERSEDES	9-21-2009

## **PURPOSE**

Morehouse School of Medicine is an equal opportunity employer. This policy sets forth the School's commitment to compliance with all applicable state and federal laws concerning persons with disabilities, including the Americans with Disabilities Act ("ADA"). MSM will conduct all employment practices in a non-discriminatory manner and will make a reasonable accommodation available to any qualified employee with a disability who requests an accommodation.

## **APPLICABILITY**

This policy applies to all current employees, including student employees, employees seeking promotion, and job applicants.

## **POLICY**

### **MSM Prohibits Discrimination and/or Harassment of Disabled Employees and Applicants**

An individual is considered to have a disability if he or she has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. A qualified individual with a disability is one who can perform the essential functions of his or her job with or without a reasonable accommodation.

MSM prohibits discrimination and/or harassment against any qualified individual with a disability in its employment practices, such as job application procedures, hiring, promotion, discharge, compensation, training, benefits and other conditions of employment.

### **Reasonable Accommodation of Disabilities**

MSM will make a reasonable accommodation available to any qualified individual with a disability who requests an accommodation. A reasonable accommodation is designed to assist an employee or applicant in the performance of the essential functions of his or her job or MSM's application requirements.

Some examples of accommodations include, but are not limited to, the following:

- restructuring a job
- modifying work schedules
- providing interpreters

- redesigning work areas and equipment or acquiring new equipment
- ensuring facility accessibility to those with physical disabilities

Accommodations are made on a case-by-case basis. MSM will work with eligible employees and applicants to identify an appropriate, reasonable accommodation in a given situation. An accommodation need not be the most expensive or ideal accommodation, or the specific accommodation requested by the individual, so long as it is reasonable and effective. MSM will not provide a reasonable accommodation if the accommodation would result in undue hardship to MSM or if the employee, even with reasonable accommodation, poses a direct threat to the health or safety of the employee or other persons. Any decision to deny a reasonable accommodation on the basis of cost will be reviewed and approved by the Chief Financial Officer and Senior Vice President for Administration of MSM.

In most cases, it is an employee's or applicant's responsibility to begin the accommodation process by making MSM aware of his or her need for a reasonable accommodation. Please see below for information on how to request a reasonable accommodation.

## **GUIDELINES**

### **A. PROCEDURES FOR REQUESTING AN ACCOMMODATION**

1. The Human Resources Department has been designated to coordinate applicant and employee requests for workplace accommodations. A person with a disability may request a reasonable accommodation by contacting the Human Resources Department. If the need for the accommodation is not obvious, a certification of disability from an appropriate health care provider, as determined by the School, must accompany the request. In addition, if the initial information provided by an individual's health care provider is insufficient to substantiate that the individual has an ADA-qualifying disability and is in need of a reasonable accommodation, the School may require the person requesting the accommodation to provide additional data or be evaluated by a health care provider of the School's choice. Employees or applicants requesting a reasonable accommodation are expected to work cooperatively with MSM throughout the accommodation process.
2. All information submitted about a disability will be maintained separately from personnel records and kept confidential in accordance with the ADA, except that (a) supervisors and managers may be informed regarding restrictions on the work or duties of qualified individuals with disabilities and necessary accommodations, (b) first aid and safety personnel may be informed, to the extent appropriate, if and when a condition might require emergency treatment; and, (c) government officials engaged in enforcing laws such as those administered by the Office of Federal Contract Compliance Programs or the Americans with Disabilities Act may be informed.
3. Determination of whether an employee is a qualified person with a disability and whether a requested accommodation or any other accommodation is reasonable will be made on a case-by-case basis by the supervisor in consultation with the

Human Resources Department; after discussion as appropriate with the person requesting the accommodation.

**B. INTERNAL GRIEVANCE PROCEDURE**

If you have concerns regarding denial of a reasonable accommodation or the specific accommodation selected by the School, you are encouraged to review the process with the Office of Compliance and Internal Audit. In the event you disagree with the determination or proposed accommodation or believe you have been discriminated against and/or harassed based on a disability, you should contact the Office of General Counsel.

**C. RETALIATION**

MSM takes a very strong stance against retaliation. No employee or applicant will be subject to retaliation for attempting to exercise their rights under this policy. Those who retaliate against an employee or applicant for making a report of disability discrimination and/or harassment, for attempting to secure a reasonable accommodation or otherwise acting in accordance with this policy will be subject to severe discipline, up to and including termination of employment. If an employee or applicant believes that he or she has been retaliated against, he or she should immediately request assistance from their supervisor or the Human Resources Department.