NEIU | NORTHEASTERN ILLINOIS UNIVERSITY

University Policy

Volume G1: Governance	G1.11 Reasonable Accommodations for Employees and Applicants with Disabilities **Effective Date:** 02/06/2015 **Date of Last Revision:** 03/15/2022 **Date of Next Review:** 03/01/2027	**Responsible Office:** Human Resources
		Responsible Officer: Vice President for Finance and Administration

POLICY STATEMENT

Northeastern Illinois University (the "University") is committed to providing reasonable accommodations to qualified employees and job applicants with physical or mental disabilities, in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act ("ADA"). The University prohibits discrimination based on disability in both the application process and during the employment relationship. The University will comply with all federal, state, and applicable local disability laws, orders and regulations.

PURPOSE OF THE POLICY

This policy furthers Northeastern's commitment to the principles of equal access and opportunity for University employees and applicants for University employment.

WHO IS AFFECTED BY THIS POLICY

This policy applies to all University employees and applicants for University employment.

DEFINITIONS

DISABILITY: A "physical impairment" or "mental impairment" that "substantially limits" one or more of the "major life activities" of an individual; a record (or past history) of such impairment; or being regarded as having a disability. This should be construed broadly and the determination of whether an individual has a disability should not require extensive analysis. Each of the aforementioned key terms is explained below.

1. "Physical impairment" means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine.
2. "Mental impairment" means any mental or psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
3. "Substantially limits" – An impairment is a disability if it substantially limits the ability of an individual to perform a major life activity as compared to most people in the general population. An impairment need not significantly or severely restrict or prevent the individual from performing a major life activity in order to be considered substantially limiting. Nonetheless, not every impairment will constitute a disability. "Substantially limits" should not demand extensive analysis. The determination of whether an impairment substantially limits a major life activity requires an individualized assessment. However, in making this assessment, the term "substantially limits" shall be interpreted and applied to require a degree of functional limitation that is lower than the standard for "substantially limits" applied prior to the Americans with Disabilities Act Amendments Act (ADAAA) of 2008. Multiple impairments that combine to substantially limit one or more of an individual's major life activities also constitute a disability. The determination of whether an impairment substantially limits

a major life activity must be made without regard to the ameliorative effects of mitigating measures (such as medication, prosthetics, or psychotherapy).

ADA INTERACTIVE PROCESS: A process required under this policy that meets the following criteria:

1. The interactive process is an informal process to clarify what the individual needs and identify the appropriate effective reasonable accommodation(s). After an employee or applicant requests a reasonable accommodation to the ADA Coordinator, the next step is for the employee and their supervisor, or an applicant and a Human Resources representative, to begin the interactive process. The purpose of the interactive process is to determine what, if any, accommodation should be provided. This process generally requires the ADA Coordinator to analyze job functions to establish the essential and nonessential job tasks; identify the barriers to job performance by consulting with the employee to learn the employee's precise limitations; and explore the types of accommodations that would be most effective.
2. The individual making the request, their supervisor (for an employee), or a Human Resources representative (for an applicant), and the University's ADA Coordinator work together during the interactive process to identify effective accommodations. Suggested resources for identifying accommodations include: the U.S. Department of Labor's Job Accommodation Network (JAN), www.askjan.org; and the U.S. Department of Labor's Employer Assistance & Resource Network on Disability Inclusion (EARN), www.askearn.org.
3. An effective accommodation need not be exactly what the employee/applicant requests. Employees who request reasonable accommodations are expected to cooperate in good faith in providing the information necessary to assess the request throughout the interactive process. Employees who fail to engage in the interactive process in good faith may risk being provided with ineffective accommodations or having their request denied due to lack of information needed to make a proper determination. Supervisors who fail to engage in the interactive process in good faith may risk being reported to their supervisors for potential discipline.

FOAP: This term provides the framework to classify expenditures in the University's financial Chart of Accounts. A FOAP is made up of four major elements, the Fund, the Organization, the Account and the Program. Each FOAP has an identified Financial Manager.

QUALIFIED INDIVIDUAL WITH A DISABILITY: An individual with a disability who possesses the requisite skills, education, experience, and training for a position, and who can perform, with or without reasonable accommodation, the essential functions of the position the individual desires or holds. The determination of whether a person is a qualified individual with a disability is made on a case-by-case basis by the Human Resources representative, who serves as the University's ADA Coordinator.

REASONABLE ACCOMMODATION: Any change in the work environment or in the way things are usually done that enables a qualified individual with a disability to participate in the application process, to perform the essential functions (or fundamental duties) of a job, or to enjoy equal benefits and privileges of employment that are available to individuals without disabilities. While there are some things that are not considered reasonable accommodations (e.g., removal of an essential job function or lower production standards), reasonable accommodations can cover most things that enable an individual to apply for a job, perform a job, or have equal access to the workplace and employee benefits and privileges. An accommodation may be effective in producing the desired result even if it is not the employee/applicant's accommodation of choice. An effective accommodation need not be the most expensive, nor must it be exactly what the employee/applicant requests.

1. Common types of accommodations may include:
    a. Modifying work schedules or supervisory methods (such as providing assignments verbally and in writing);
    b. Granting breaks or providing leave;
    c. Altering how or when job duties are performed;
    d. Removing and/or substituting marginal functions;
    e. Moving to different office space;

f. Providing remote work;
g. Making changes to particular workplace policies;
h. Providing assistive technology including information technology, communications equipment, or specially designed furniture;
i. Providing a reader or other staff assistant to enable employees to perform their job functions;
j. Making facilities accessible by, for example, installing a ramp or grab bars;
k. Providing accessible parking;
l. Providing materials in alternative formats, such as Braille; and
m. Providing a reassignment to another job, as an accommodation of last resort.

2. Here are examples of several modifications or adjustments that are not considered to be "reasonable" and therefore do not need to be made by the agency under the reasonable accommodation requirements:
   a. Eliminating, reassigning or having others perform essential functions (i.e., fundamental duties of the position);
   b. Lowering production/performance standards (qualitative or quantitative) that are applied uniformly to employees with and without disabilities (though a reasonable accommodation should be provided to enable an employee with a disability to meet a production standard);
   c. Creating a new job position;
   d. Allowing or ignoring inappropriate conduct; and
   e. Providing personal use items needed to accomplish daily activities both on and off the job such as prosthetic limbs, wheelchairs, eyeglasses, hearing aids or similar devices also needed off the job.

The University provides reasonable accommodations to qualified individuals with a disability in order for the individual to enjoy equal benefits and privileges of work, unless providing the accommodation would impose an undue hardship on the University.

UNDUE HARDSHIP: Denial of a request for a reasonable accommodation may be justified if providing that accommodation would pose undue hardship to the University. In determining undue hardship, the following factors should be considered:

a. The nature and cost of the accommodation needed;
b. The University's overall size, financial resources, number of employees, and type and location of facilities;
c. The type of operation of the University, including the structure and functions of the workforce, and the geographic separateness; and
d. The impact of the accommodation on the operation of the office, unit or department, including the impact on the ability of other employees to perform their duties and the impact on the facility's ability to conduct business.

REGULATIONS

Americans with Disabilities Act of 1990 (ADA)
Section 504 of the Rehabilitation Act of 1973

PROCEDURES

APPLICANTS REQUESTING REASONABLE ACCOMMODATIONS:

- Applicants for a Civil Service position notify the Employment Associate in the Office of Human Resources.
- Applicants for faculty, Administrative and Professional (A&P), and Academic Support Professionals (ASP) appointments notify the Chair of the Screening Committee to request a reasonable accommodation. The Chair will consult on this request with the Human Resources representative, who serves as the University's ADA Coordinator.

EMPLOYEES REQUESTING REASONABLE ACCOMMODATIONS:

- It is the responsibility of an employee with a physical and/or mental disability who may require any type of accommodation to make an accommodation request.
- Employees should make a request to the Human Resources representative, who serves as the University's ADA Coordinator, via the process described below in the "Guidelines" section.

FUNDING REASONABLE ACCOMMODATIONS FOR CURRENT EMPLOYEES:

- The cost of any reasonable accommodation which is less than $100 is paid by the employee's unit.
- The cost of any reasonable accommodation which exceeds $100 is paid by the employee's unit and reimbursed by the Office of the Vice President for Finance and Administration. However, the cost of handicapped parking permits is the responsibility of the employee. (See author reference section below)
- In the event the accommodation exceeds $100, the requisition for the required goods or services to be paid from the employee's FOAP, along with the approval from the ADA Coordinator shall be submitted to the Office of the Vice President for Finance and Administration which will process the requisition and initiate a budget transfer for reimbursement to the employee's FOAP for the expense.

GUIDELINES

A current Northeastern employee who believes a reasonable accommodation is required to enable the employee to perform the essential functions of the job should contact Northeastern's Office of Human Resources (ADA Coordinator) as soon as practicable to request a reasonable accommodation under the American with Disabilities Act (ADA):

Northeastern Illinois University
Office of Human Resources
5555 North Bernard Street
Chicago, IL 60659
Phone: (773) 442-5200
Fax: (773) 442-5220
Email: benefits@neiu.edu

After a request for accommodation has been made by an employee to the ADA Coordinator, the ADA Interactive Process will begin. The following are the specific questions which the Interactive Process is designed to answer:

- Do you have a disability which the ADA requires the University to accommodate?
- What are the essential (as opposed to the non-essential) functions of your job?
- Do you have limitations that result from your disability? If so, what are those limitations?
- Do those limitations interfere with your ability to perform the essential functions of your job?
- Is there a reasonable accommodation which the University can provide which would allow you to perform those essential functions?
- If so, what is that accommodation?

1. The employee will meet with the ADA Coordinator, who will communicate with the employee to determine the precise nature of the limitation that is generating the request, how a disability is prompting a need for an accommodation, and alternative accommodations that may be effective in meeting the individual's needs.
2. At this meeting, the ADA Coordinator will explain the reasonable accommodation process and request the appropriate medical documentation. It will be explained to the employee that the following two forms must be submitted: (1) Employee Disability Accommodation Request Form; and (2) ADA Medical Certification Form.
3. After the two required forms are submitted to the ADA Coordinator, the ADA Coordinator will determine if the employee is a qualified individual with a disability and whether a reasonable accommodation is required under the ADA. If not, the ADA Coordinator will promptly notify the employee.
4. If the ADA Coordinator determines that a reasonable accommodation is required under the ADA, the ADA Coordinator will conduct the following steps in consultation with the employee and supervisor:
    a. Review the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary;
    b. Determine the job-related limitation(s) created by the employee's disability, including requesting and evaluating documentation from the employee's medical professional;
    c. Review the potential accommodations and assess the effectiveness of each accommodation that may enable the employee to perform the essential functions of the job;
    d. Consult with the employee's supervisor to identify any undue hardship, discuss business necessities, and assess the effectiveness of the proposed accommodation(s) in enabling the employee to perform essential job functions;
    e. Recommend the reasonable accommodation that is most appropriate for both the employee and the University, and establish a timeline for evaluating the effectiveness of the accommodation, if appropriate. While the individual's preference will be given consideration, the ADA Coordinator may choose a different, yet effective reasonable accommodation; and
    f. The ADA Coordinator's recommendation set forth above in 5(a)-(e) shall be made within 30 calendar days of receipt of the two required forms by the ADA Coordinator (or as soon as feasible when extensions are necessary due to holidays or exceptional circumstances).
    g. The employee, supervisor and the ADA Coordinator will complete and sign a reasonable accommodation agreement detailing the accommodation.
    h. The employing department will implement the agreed upon accommodation.
    i. After accommodations are provided, the employee and supervisor will evaluate the effectiveness of the accommodation within the timeline established by the ADA Coordinator, if appropriate.
    j. If at any time there is a question about the continuing nature of an employee's reasonable accommodation, the employee or the supervisor may contact the ADA Coordinator.
    k. If a reasonable accommodation is denied at any point of the process, the employee may appeal the denial in writing to the Associate General Counsel within ten calendar days of the date of the denial. The Associate General Counsel (or a designee) shall consider the appeal and issue a final written decision.

AUTHOR REFERENCE

Illinois Human Rights Act (IHRA)
Americans with Disabilities Act of 1990 (ADA)
Section 504 of the Rehabilitation Act of 1973
Illinois Secretary of State's Office – handicapped parking
U.S. Department of Labor Civil Rights Center

HISTORY

Updated responsible officer and email address 10/01/2025
Updated responsible officer and office 05/21/2025
Updated responsible officer and office 02/05/2024
Five-year comprehensive review 03/15/2022
Formerly Administrative Memorandum 75 - Reasonable Accommodations for Employees with Disabilities, effective dated 08/13/1996

APPENDIX

Appendix A, Employee Disability Accommodation Request Form
Appendix B, ADA Medical Certification Form

RELATED POLICIES AND OTHER INFORMATIONAL MATERIAL

G1.7 Equal Opportunity and Nondiscrimination Policy
Grievance Form and Procedure, Discrimination and/or Harassment
Reasonable Accommodations for Students with Disabilities, S1.3
Hiring Manual

CONTACT INFORMATION

Please direct questions or concerns about this policy to:

Contact	Phone	E-Mail
ADA Coordinator / Human Resources	773-442-5200	benefits@neiu.edu

DISCLAIMER

The University reserves the right to modify or amend sections of this policy at any time at its sole discretion. This policy remains in effect until such time as the Responsible Officer calls for review. Requests for exception to any portion of this policy, but not to the policy statement, must be presented in writing to the Responsible Officer.