



The University of Vermont

Policy V. 7.1.1

Responsible Official: Vice President  
for Human Resources, Diversity, and  
Multicultural Affairs

Effective Date: January 17, 2012

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# **Disability Accommodation for Employees and Applicants for Employment**

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## **Policy Statement**

The University of Vermont is committed to providing a workplace that is free from unlawful discrimination and is accessible to all individuals in conformity with state and federal laws, (e.g., Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (Section 504); the Americans with Disabilities Act of 1990, 42 U.S.C. 12131 (the ADA), as amended by the ADA Amendments Act of 2008 (ADAAA); Title 21 VSA 495). It is therefore the policy of the University of Vermont not to discriminate against qualified applicants or employees with disabilities and to provide reasonable and effective accommodations to such persons. It is also the policy of the University of Vermont not to discriminate against any individual who is regarded as having a disability and to prohibit retaliation against any individual seeking an accommodation for a disability, filing a complaint under this Policy, or cooperating in an investigation related to a complaint of discrimination under this policy.

## **Reason for the Policy**

This policy establishes that the University of Vermont does not discriminate against qualified individuals with disabilities in any aspect of employment, including application, hiring, promotion, discharge, compensation, training, benefits or other conditions of employment. Further, the University is committed to working with individuals to provide reasonable accommodations to qualified individuals with a disability. This policy further establishes that Human Resource Services is the University office responsible for providing employees with information on how to obtain certification of a disability and how to seek reasonable accommodation for a disability.

## Applicability of the Policy

This policy applies to all employees and applicants at the University of Vermont. Students who also hold positions of employment with the University are covered by this policy for accommodation requests related to the essential functions of their employment<sup>1</sup>.

## Policy Elaboration

See Procedures

## Definitions

*Disability:* A person with a disability is a person with a physical or mental impairment that substantially limits one or more major life activities; one who has a record of having such an impairment; or one who is regarded as having such an impairment. A person may have a disability even if the effects of the disability are episodic or in remission.

*Qualified Individual with a Disability:* An individual with a disability who, with or without reasonable accommodations, is able to perform the essential functions of his or her job.

*Reasonable Accommodation:* Reasonable accommodation is any change or adjustment to a job or work environment that permits an employee with a disability to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities, without an undue hardship on the University or posing a direct threat to the employee or other individuals. By way of example, reasonable accommodations may include:

- Acquiring or modifying equipment or devices
- Job restructuring
- Part-time or modified work schedules
- Reassignment to a vacant position
- Adjusting or modifying examinations, training materials, or policies

*Regarded as Disabled:* An individual is regarded as disabled if the individual establishes that s/he has been subjected to an action prohibited under the ADA because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity. Regarded as disabled does not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of six months or less.

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<sup>1</sup> Students seeking reasonable accommodation in their academic or other programs of the University not related to their employment should follow the process in the University Policy for Disability Certification and Support – Students: <http://www.uvm.edu/policies/student/disability.pdf>

## Procedures

Persons interested in applying for employment at the University who require an accommodation for the application and/or selection process should contact the ADA Liaison in Human Resource Services at (802) 656-8623.

Employees who require a reasonable accommodation for a disability in order to perform the essential functions of their job should contact the ADA Liaison in Human Resource Services for initial certification of a disability and to initiate the process to determine reasonable accommodations. Procedures applicable to employees requesting accommodation for a disability may be found at: [www.uvm.edu/hrs/disability](http://www.uvm.edu/hrs/disability).

Documentation of disability furnished by the employee will be kept confidential and maintained separately from the employee's personnel file and will be shared with University personnel only with permission of the employee, except as is otherwise required by law.

If documentation provided by the employee is insufficient to make a determination that the employee is disabled and/or to determine reasonable accommodations, Human Resource Services reserves the right to request from a health care provider additional documentation considered reasonably necessary to determine appropriate and effective accommodations.

Once an employee is certified as having a disability, the University and employee will engage in an interactive process to determine whether a reasonable accommodation is available.

If an applicant for employment or an employee believes that s/he has been discriminated against because they have a disability, is regarded as having a disability, or is affiliated with an individual with a disability, the applicant or employee should contact the Office of Affirmative Action and Equal Opportunity for further information, assistance or to make a complaint.  
<http://www.uvm.edu/~aaeo/>

## Forms

None

## Contacts

Questions related to the daily operational interpretation of this policy should be directed to:  
Human Resource Services  
85 South Prospect Street  
228 Waterman Building  
Burlington, VT 05405  
(802) 656-3150

ADA Liaison (for reasonable accommodations information)  
Human Resource Services  
85 South Prospect Street  
228 Waterman Building

Burlington, VT 05405  
(802) 656-8623

Director, Affirmative Action & Equal Opportunity (for discrimination concerns)  
85 South Prospect Street  
428 Waterman Building  
Burlington, Vermont 05405  
(802) 656-3368

The Vice President for Human Resources, Diversity, and Multicultural Affairs is the University official responsible for the interpretation and administration of this policy.

## **Related Documents/Policies**

Disability Certification, Accommodation and Support - Students  
<http://www.uvm.edu/policies/student/disability.pdf>

## **Effective Date**

Approved by the President January 17, 2012