Disability Accommodation Process for Faculty and Staff

POLICY STATEMENT

Cornell University strives to provide an environment that is free from all discrimination, including discrimination on the basis of disability.

REASON FOR POLICY

The university is committed to diversity and nondiscrimination, and supports the employment of qualified individuals with disabilities in its workforce in accordance with federal and state laws and regulations, including the Americans with Disabilities Acts of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and the New York State Human Rights Law.

ENTITIES AFFECTED BY THIS POLICY

– All units of the university, excluding the Weill Cornell Medical College, and Graduate School of Medical Sciences

WHO SHOULD READ THIS POLICY

– Faculty and staff members

◆Note: Undergraduate students, graduate students, and student employees should refer to the Office of Student Disability Services, at sds.cornell.edu.

WEB ADDRESS FOR THIS POLICY

– This policy: www.dfa.cornell.edu/treasurer/policyoffice/policies/volumes/humanresources/disabilityaccom.cfm

– University Policy Office: www.policy.cornell.edu
POLICY 6.13
Disability Accommodation Process for Faculty and Staff

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RELATED RESOURCES

University Policies and Documents
University Policy 6.2.10, Establishment of College-level Academic Grievance Procedures
University Policy 6.9, Time Away from Work (Excluding Academic and Bargaining Unit Staff)
University Policy 8.6, Environment, Health, and Safety
Collective Bargaining Agreements (for bargaining unit employees)
Human Resources Policy 6.11.4, Staff Complaint and Grievance Procedure

External Documentation
Americans with Disabilities Act of 1990
Americans with Disabilities Act Amendments of 2008
New York State Human Rights Law
Rehabilitation Act of 1973 (Section 504)

University Forms and Systems
Disability Accommodation Forms at www.hr.cornell.edu/policies/all/disability_accommodation.html
Used to request an accommodation based on a disability as defined by this policy.
POLICY 6.13

Disability Accommodation Process for Faculty and Staff

CONTACTS

Please direct general questions about University Policy 6.13, Disability Accommodation Process to your human resource representative. If you have questions about specific issues, call the following offices:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Telephone</th>
<th>E-mail/Web Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Clarification</td>
<td>Office of Workforce Policy and Labor Relations (WPLR)</td>
<td>(607) 254-7232</td>
<td><a href="mailto:equalopportunity@cornell.edu">equalopportunity@cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fax: (607) 255-0298</td>
<td></td>
</tr>
<tr>
<td>Accessibility to Facilities on Campus: Faculty and Staff</td>
<td>ADA Coordinator for Facilities</td>
<td>(607) 255-5150</td>
<td><a href="mailto:ah45@cornell.edu">ah45@cornell.edu</a></td>
</tr>
<tr>
<td>Accessibility to Facilities on Campus: Students</td>
<td>Student Disability Services</td>
<td>(607) 254-4545</td>
<td><a href="mailto:sds_cu@cornell.edu">sds_cu@cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>sds.cornell.edu</td>
</tr>
<tr>
<td>Accessible Transportation and Parking Requests</td>
<td>Commuter and Parking Services</td>
<td>(607) 255-7275</td>
<td><a href="mailto:transportation@cornell.edu">transportation@cornell.edu</a></td>
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<td></td>
<td><a href="http://www.transportation.cornell.edu">www.transportation.cornell.edu</a></td>
</tr>
<tr>
<td>Counseling</td>
<td>Faculty and Staff Assistance Program (FSAP)</td>
<td>(607) 255-2673 (5-COPE)</td>
<td><a href="http://www.fsap.cornell.edu">www.fsap.cornell.edu</a></td>
</tr>
<tr>
<td>Resolving Disagreements with the Determination Regarding Accommodation and/or the Proposed Accommodation</td>
<td>University Ombudsman</td>
<td>(607) 255-4321</td>
<td><a href="mailto:ombudsman@cornell.edu">ombudsman@cornell.edu</a></td>
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<td>ombudsman.cornell.edu</td>
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<tr>
<td></td>
<td>Office of Workforce Policy and Labor Relations (WPLR)</td>
<td>(607) 254-7232</td>
<td><a href="mailto:equalopportunity@cornell.edu">equalopportunity@cornell.edu</a></td>
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<tr>
<td></td>
<td></td>
<td>Fax: (607) 255-0298</td>
<td></td>
</tr>
<tr>
<td>Request for Workplace Accommodation - Applicants</td>
<td>Office of Workforce Policy and Labor Relations (WPLR)</td>
<td>(607) 254-7232</td>
<td><a href="mailto:equalopportunity@cornell.edu">equalopportunity@cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fax: (607) 255-0298</td>
<td></td>
</tr>
<tr>
<td>Request for Workplace Accommodation: Faculty and Staff</td>
<td>Medical Leaves Administration (MLA)</td>
<td>(607) 255-1216</td>
<td><a href="mailto:jrd14@cornell.edu">jrd14@cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(607) 255-1260</td>
<td><a href="mailto:can29@cornell.edu">can29@cornell.edu</a></td>
</tr>
<tr>
<td>Returning from Leave Due to Disability</td>
<td>Medical Leaves Administration (MLA)</td>
<td>(607) 255-1216</td>
<td><a href="mailto:jrd14@cornell.edu">jrd14@cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(607) 255-1260</td>
<td><a href="mailto:can29@cornell.edu">can29@cornell.edu</a></td>
</tr>
<tr>
<td>Transitional Work Opportunities for Staff Members Recovering from Illness or Injury</td>
<td>Musculoskeletal Injury Prevention Program (MIPP)</td>
<td>(607) 255-1360</td>
<td><a href="http://www.hr.cornell.edu/benefits/medical_leaves/mipp.html">www.hr.cornell.edu/benefits/medical_leaves/mipp.html</a></td>
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</table>
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Disability Accommodation Process for Faculty and Staff

DEFINITIONS

These definitions apply to terms as they are used in this policy.

◆ Note: These definitions are taken from applicable federal and state law.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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</thead>
<tbody>
<tr>
<td>Accommodation Request</td>
<td>The process of requesting a reasonable accommodation based on a qualified disability.</td>
</tr>
<tr>
<td>Disability</td>
<td>Defined by the Americans with Disabilities Act (ADA)</td>
</tr>
<tr>
<td></td>
<td>A physical or mental impairment that substantially limits one or more major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.</td>
</tr>
<tr>
<td></td>
<td>◆ Note: To qualify as a disability under the ADA, the impairment must be permanent or of extended duration.</td>
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<tr>
<td></td>
<td>Defined by the New York State Human Rights Law (NYSHRL)</td>
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<td></td>
<td>A physical, mental, or medical impairment resulting from anatomical, physiological, genetic or neurological conditions that prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques, or a record of such an impairment, or a condition regarded by others as such impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.</td>
</tr>
<tr>
<td>Essential Function</td>
<td>Defined by the ADA</td>
</tr>
<tr>
<td></td>
<td>A fundamental job duty of an employment position held or sought by a person with a disability (the term &quot;essential function&quot; does not include any marginal functions of a particular position).</td>
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<tr>
<td></td>
<td>A job function may be considered essential for any of several reasons, including, but not limited to the following: (1) the function may be essential because the reason the position exists is to perform that function, (2) the function may be essential because of the limited number of faculty and staff available among whom the performance of that job function can be distributed, and/or (3) the function may be highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.</td>
</tr>
<tr>
<td>Has a Record of Such an Impairment</td>
<td>Defined by the ADA</td>
</tr>
<tr>
<td></td>
<td>Has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.</td>
</tr>
<tr>
<td>Is Regarded as Having Such an Impairment</td>
<td>Defined by the ADA</td>
</tr>
<tr>
<td></td>
<td>(a) Has a physical or mental impairment that does not substantially limit major life activities but is treated by an employer as constituting a substantially limiting impairment, (b) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment, (c) has no physical or mental impairment but is treated by an employer as having a substantially limiting impairment.</td>
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<tr>
<td></td>
<td>Although an individual may have an impairment that does not in fact substantially limit a major life activity, the reaction of others may prove just as disabling. Such impairment might not diminish a person’s physical or mental capabilities, but could nevertheless substantially limit that person’s ability to work as a result of the negative reactions of others to the impairment.</td>
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|                                           | An individual meets the requirement of “being regarded as having
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Disability Accommodation Process for Faculty and Staff

DEFINITIONS, continued

such an impairment” if the individual establishes that he or she 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. For this purpose, minor and transitory impairments are excluded and a “transitory” impairment is one lasting fewer than six months. Employers are not required to provide reasonable accommodations to faculty and staff members who only meet the ADA’s “regarded as” definition of “disability.”

Major Life Activity Defined by the ADA
Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Physical, Medical, or Mental Impairment Defined by NYSHRL
A physical, mental, or medical impairment resulting from anatomical, physiological, genetic, or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques, or a record of such an impairment, or a condition regarded by others as such an impairment, provided, however,…the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

Qualified Individual with a Disability General
A person with a disability who satisfied the requisite skill, experience, education, and other job-related requirements of the employment position he or she holds or seeks, and who, with or without reasonable accommodation, can perform the essential functions of the position.

Covered by the ADA
A person who: (a) has a physical or mental impairment that substantially limits one or more of his or her major life activities, (b) has a record of such an impairment, or (c) is regarded as having such an impairment.

Covered by NYSHRL
An individual who has the requisite job qualifications and is able to perform the job satisfactorily. The individual must otherwise be qualified for the job by education, skill, experience, ability, etc. to the same extent that such education, skill, experience, ability, etc. are required as bona fide job qualifications for non-disabled applicants or faculty and staff.

Reasonable Accommodation Defined by the ADA
Actions that may include: making existing facilities used by faculty and staff readily accessible to and usable by individuals with disabilities; job restructuring, part-time or modified work schedules, allowing work from home or other remote location; reassignment to a vacant position, acquisition or modifications of equipment or devices, appropriate adjustment or modifications of examinations, training materials, or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.
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Disability Accommodation Process for Faculty and Staff

DEFINITIONS, continued

<table>
<thead>
<tr>
<th>Definition</th>
<th>Details</th>
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<tbody>
<tr>
<td>Defined by NYSHRL</td>
<td>Action taken that permits an employee, prospective employee...with a disability to perform in a reasonable manner the activities involved in the job or occupation sought or held and include but are not limited to, provision of an accessible worksite, acquisition or modification of equipment, support services for persons with impaired hearing or vision, job restructuring and modified work schedules; provided, however that such actions do not impose undue hardship on the business, program or enterprise of the entity from which action is requested.</td>
</tr>
<tr>
<td>Retaliation</td>
<td>Defined by the ADA and NYSHRL  The seeking of revenge, reprisal, or injury to another who has exercised the right to request an accommodation.</td>
</tr>
<tr>
<td>Substantial Limitation</td>
<td>Defined by the ADA and NYSHRL  Inability to perform a major life activity that the average person in the general population can perform; or significantly restricted as to the condition, manner, or duration under which an individual can perform a particular major life activity as compared to the average person. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active. The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies; use of assistive technology; reasonable accommodation or auxiliary aides or services, or learned behavioral or adaptive neurological modifications.</td>
</tr>
<tr>
<td>Undue Hardship/Burden</td>
<td>Defined by the ADA and NYSHRL  Significant difficulty or expense incurred by an employer, with respect to the provision of reasonable accommodation. Undue hardship means that an accommodation would be unduly costly, extensive, substantial, or disruptive, or would fundamentally alter the nature or operation of the business. Among the factors to be considered in determining whether an accommodation is an undue hardship are the cost of the accommodation, the employer's size, financial resources, and the nature and structure of its operation.</td>
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Disability Accommodation Process for Faculty and Staff

RESPONSIBILITIES

The major responsibilities each party has in connection with this policy are as follows:

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibilities</th>
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<tbody>
<tr>
<td><strong>Applicant for Positions at Cornell University</strong></td>
<td>Contact the Office of Workforce Policy and Labor Relations (WPLR) to request a necessary accommodation for a disability to enable participation in the selection process.</td>
</tr>
<tr>
<td><strong>Faculty and Staff Assistance Program (FSAP)</strong></td>
<td>Provide confidential counseling to faculty and staff who need assistance in resolving concerns, including work-related concerns. Upon request, refer faculty and staff members with disability accommodation request concerns to WPLR. Refer requests regarding return from leave or short-term disability to Medical Leaves Administration (MLA).</td>
</tr>
<tr>
<td><strong>Faculty or Staff Member Seeking Disability Accommodation</strong></td>
<td>Contact the local human resource (HR) representative or MLA to initiate requests for any desired disability-related workplace accommodation. Provide required medical documentation regarding the request for accommodation.</td>
</tr>
<tr>
<td><strong>Human Resource (HR) Representative</strong></td>
<td>Provide information to faculty and staff members about disability accommodations within the appropriate unit. Refer faculty and staff members who request disability accommodation to MLA. Provide ongoing assistance to faculty and staff members who request disability accommodation, as well as to supervisors and the unit head. Immediately notify the appropriate office of any issues regarding disability accommodation.</td>
</tr>
<tr>
<td><strong>Medical Leaves Administration (MLA)</strong></td>
<td>Provide consultative services for the university community with regard to employment-related disability accommodations. Review requests for disability accommodation in accordance with the Americans with Disabilities Act (ADA) and the New York State Human Rights Law (NYSHRL). Administer all employment-related requests from faculty and staff members for disability accommodation. Provide assistance for all ADA- and NYSHRL-eligible requests for accommodation (including medical verification). Make determinations regarding appropriate and reasonable accommodations for faculty and staff members with ADA- and NYSHRL-defined disabilities, and make reasonable efforts to provide written notification of its determination to the employee, the associated supervisor, and the HR representative within 15 days from the receipt of the completed documentation. Act as a resource for obtaining technical and assistive equipment with regard to work-related reasonable accommodations and provide information to units on funding options. Coordinate accommodation efforts with WPLR, where appropriate. Review requests to return to work or for short-term disability. Provide advice, guidance, and assistance in the needs of faculty or staff members who are returning from leave, including requests that are covered under short-term disability, long-term disability, worker's compensation, and related supportive policies.</td>
</tr>
</tbody>
</table>
POLICY 6.13
Disability Accommodation Process for Faculty and Staff

RESPONSIBILITIES, continued

<table>
<thead>
<tr>
<th>Musculoskeletal Injury Prevention Program (MIPP)</th>
<th>Facilitate the return to work of faculty or staff members who cannot perform their job tasks due to illness, injury, or disability, and coordinate these efforts with WPLR, where appropriate.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervisor or Unit Head</td>
<td>Immediately notify the appropriate HR representative of any disability accommodation request received from a faculty or staff member. Implement reasonable accommodations determined and recommended by MLA. Except where necessary for the accommodation, preserve the confidentiality of the faculty or staff member who has requested disability accommodation.</td>
</tr>
<tr>
<td>Workforce Policy and Labor Relations (WPLR)</td>
<td>Administer employment-related requests from applicants for positions at Cornell University for disability accommodation in the application process. Coordinate overall responses to disability accommodation requests, as appropriate. Respond to inquiries regarding disability issues, referring inquiries to the appropriate office, as necessary. Investigate complaints arising out of requests for disability accommodation that are denied.</td>
</tr>
</tbody>
</table>
POLICY 6.13
Disability Accommodation Process for Faculty and Staff

PRINCIPLES

Overview
Cornell University is committed to diversity and nondiscrimination and supports the full employment of qualified individuals with disabilities in its workforce. Cornell University shall hire, advance in employment, and otherwise treat qualified individuals with disabilities without discrimination in all employment practices such as appointment, promotion, demotion, transfer, recruitment, advertising, layoff, termination, classification, pay rate, or other forms of compensation and selection for training. Therefore, a process has been established to assist individuals with disabilities in requesting a reasonable accommodation.

Implementation and Responsibility

Faculty and Staff
Faculty and staff are responsible for initiating requests for any desired disability-related workplace accommodation by contacting their human resources (HR) representatives or Medical Leaves Administration (MLA) to engage in an interactive process with MLA and the unit. MLA will review such requests in accordance with the Americans with Disabilities Act (ADA) and the New York State Human Rights Law (NYSHRL). Requests regarding return-to-work situations or short-term disability also should be referred to MLA.

Applicants
An applicant for a position at Cornell who may require an accommodation for a disability so that he or she may participate in the selection process are encouraged to contact the university’s Office of Workforce Policy and Labor Relations (WPLR).

Supervisors and Unit Heads
Supervisors and unit heads are responsible for immediately notifying the appropriate HR representative of any faculty or staff member’s disability accommodation request that is brought to their attention. Supervisors and unit heads are also responsible for implementing the reasonable accommodations determined and recommended by MLA. Additionally, supervisors and unit heads have the responsibility to keep the employee’s request confidential (except as necessary for the accommodation), and to help to ensure the accommodation’s work-related effectiveness.
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Disability Accommodation Process for Faculty and Staff

PRINCIPLES, continued

Human Resource (HR) Representatives

All HR representatives are responsible for providing information on disability accommodations within their units. Additionally, once notified by a member of a unit of a request for an accommodation, the HR representative shall refer the individual employee to MLA. In cases where an accommodation has been determined, the HR representative will provide ongoing assistance to the employee, supervisor, and/or unit head to help to ensure the effective and efficient implementation of the accommodation, and will immediately notify the appropriate office with any issue(s) of concern.

Medical Leaves Administration (MLA)

MLA is responsible for administering all employment-related requests from current faculty and staff for accommodation for individuals with disabilities, providing assistance for all ADA and NYSHRL-eligible requests for accommodation (including medical verification), and making determinations regarding appropriate and reasonable accommodations for faculty and staff with ADA- and NYSHRL-defined disabilities. Additionally, MLA may also be contacted as a resource for obtaining technical and assistive equipment with regard to work-related reasonable accommodations, as well as to provide information to units on funding options. MLA can also provide consultative services for the university community with regard to employment-related accommodations for individuals with disabilities.

Also, MLA is responsible for providing advice, guidance, and assistance in the needs of faculty and staff who are returning from leave, including requests that are covered under short-term disability, long-term disability, worker’s compensation, and related supportive policies. When appropriate, MLA will coordinate accommodation efforts with WPLR.

Office of Workforce Policy and Labor Relations (WPLR)

WPLR is responsible for administering all employment-related requests from applicants for positions at Cornell for accommodations in the application process for individuals with disabilities. WPLR coordinates overall responses to disability accommodation requests, as appropriate, and responds to inquiries regarding disability issues and refers inquiries to the appropriate office, as necessary. WPLR also investigates complaints arising out of requests for disability accommodation that are denied.
POLICY 6.13
Disability Accommodation Process for Faculty and Staff

PRINCIPLES, continued

Faculty and Staff Assistance Program (FSAP)

The Faculty and Staff Assistance Program (FSAP) is responsible for providing confidential counseling to faculty and staff who seek assistance in resolving concerns, including work-related concerns. At the employee’s request, FSAP will refer faculty and staff with disability accommodation request concerns to WPLR and will refer requests regarding return from leave or short-term disability to MLA.

Musculoskeletal Injury Prevention Program (MIPP)

The Musculoskeletal Injury Prevention Program (MIPP) is available to facilitate the return to work of faculty and staff who cannot perform their job tasks due to illness, injury, or disability; to help with accessibility issues; and to help develop transitional work opportunities for faculty and staff members who are recovering from illnesses and injuries. When appropriate, MIPP will coordinate accommodation efforts with WPLR.

Confidentiality and Records

All university unit heads and supervisors have a responsibility to maintain the confidentiality of medical information regarding a faculty or staff member’s disability. To that end, materials related to an employee’s disability, including the Request for Accommodation and any medical information, will be placed in a separate employee medical file. This file should be held in a separate, distinct, and secure location.
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PROCEDURES

Requesting Accommodation

The employee is responsible for requesting an Americans with Disabilities Act (ADA) or New York Human Rights Law (NYSHRL) workplace accommodation by:

1. Completing a Request for Accommodation form and the medical form that most closely relates to the accommodation request, which are available at www.hr.cornell.edu/policies/all/disability_accommodation.html
2. Submitting the request for an accommodation to Medical Leaves Administration (MLA)

Discussion

Following the receipt of all the necessary documentation regarding the request for accommodation, an MLA staff member will meet with the employee. After this meeting, MLA will notify the associated human resource (HR) representative and supervisor or unit head. During the meeting with the employee, the MLA representative will:

- Acknowledge and discuss the request with the faculty or staff member
- Explain the university’s accommodation process and, if any, the next steps to be taken

Verification and Documentation

It is the responsibility of the employee to provide the requested medical documentation regarding the request for accommodation to MLA. The documentation requested for purposes of verification and analysis may vary depending on the nature and extent of the disability and the accommodation requested. Once all documentation has been received, MLA staff will evaluate the requested accommodation using legal guidelines and university policies. In some cases, it may be necessary to discuss the nature of the disability with the employee’s licensed medical practitioner to address the request for accommodation effectively. If necessary, MLA, in consultation with the unit, may request a second professional opinion (also referred to as an independent medical evaluation, or IME) for purposes related to the request for accommodation.

◆ Note: In the event that a second professional opinion is deemed necessary to service effectively the request for accommodation, including issues concerning the nature or impact of a request for accommodation, the associated unit will bear the cost of obtaining the second opinion.

The request for an ADA/NYSHRL accommodation will be evaluated once all documentation has been submitted by the employee to MLA.
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**Disability Accommodation Process for Faculty and Staff**

### PROCEDURES, continued

#### Analysis of Job/Position or Performance of Job Responsibilities

As part of the accommodation analysis and determination process, and as required by ADA and NYSHRL, MLA will consider the following:

- Essential functions or core work-related duties of the individual’s position (as provided by the unit supervisor and HR representative)
- Work-related duties of prior and current faculty and staff in that same job/position
- Associated personnel file(s) (as provided by the supervisor and HR representative)
- How the request for accommodation may affect the performance of the essential functions
- Potential issues posed

#### Analysis of the Request for Accommodation

Reasonable accommodations are determined on a case-by-case basis. MLA follows an individualized assessment of each request for accommodation. To provide effective service, MLA may partner or consult with other associated offices with regard to work-related requests for accommodation. Factors considered in the individualized assessments of requests for accommodation include, but are not limited to, the following:

- Accommodation requested
- Duration of the request
- Alternative accommodations
- Financial cost and funding of the requested accommodation
- Employee performance, effectiveness, and efficiency issues
- Other related factors

#### Funding

If the request for accommodation is deemed appropriate and reasonable, the hiring unit bears the responsibility for funding the accommodation. In certain instances, partial or full funding can be obtained through federal, state, or other agency offices. MLA may assist as a resource with regard to finding and obtaining assisted funding.

#### Notification and Implementation of an Accommodation

MLA will make all reasonable efforts to provide written notification of its determination to the employee, associated supervisor, and HR representative within 15 business days from submission of the completed form and related documentation. Written notifications indicating that an accommodation will be provided shall also
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PROCEDURES, continued

include an expected implementation date for this accommodation. MLA will also notify the unit, at the same time or before this written notification has been sent. When written notification has been sent, the affiliated HR representative, supervisor, and/or unit head will meet with MLA to discuss implementation of the reasonable accommodation.

◆ Note: A unit administrator who has concerns about the accommodation implementation should try to resolve them with MLA. If resolution is not reached, the unit administrator should contact the office of the Vice President for Human Resources and Safety Services.

Resolving Disagreements

Informal Process

In the event that the employee disagrees with the determination and/or proposed accommodation, he or she may contact WPLR, as well as the University Ombudsman. The University Ombudsman may assist in resolving issues of concern within the university to all members of the Cornell University community. For further information, contact the Office of University Ombudsman at (607) 255-4321 or ombudsman.cornell.edu.

Formal Grievance Process

Various university grievance procedures exist to address faculty and staff members’ concerns about alleged violation of policies. The applicable grievance procedure depends on the circumstances and the employment status of the individual filing the grievance/complaint.
POLICY 6.13
Disability Accommodation Process for Faculty and Staff

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