

YESHIVA UNIVERSITY DISABILITY ACCOMMODATIONS

Policy

Yeshiva University is committed to prohibiting discrimination against individuals with disabilities in the job application process, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment as mandated by the Americans with Disabilities Act, the Rehabilitation Act, as well as New York State and local laws.

It is the policy of Yeshiva University to provide a reasonable accommodation to qualified applicants, staff and faculty members with disabilities to enable them to participate in all aspects of the employment process which includes performing the essential functions of a job. If an accommodation is determined to be unreasonable, result in an undue hardship to the University or pose a direct threat of substantial harm to the health or safety of the applicant, employee or others, it will not be provided. The University is not required to provide an accommodation for an individual with a disability if such accommodation will cause undue hardship.

Scope

This Policy applies to all University personnel and for those applicants seeking vacant positions during the job application process.

Definitions

- A. An individual with a **disability** is a person who: (1) has a physical or mental impairment that substantially limits one or more major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment.
- B. The term **major life functions** refers to acts such as caring for one's self, performing manual tasks, walking, talking, seeing, hearing, speaking, breathing, learning and working.
- C. A **qualified individual with a disability** is a person with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the employment position that such individual holds or desires and who, with or without reasonable accommodation, can perform the essential functions of such position.
- D. A **reasonable accommodation** is any change or adjustment to a job or work environment that enables a qualified applicant or employee with a disability to participate in the job application process, perform the essential functions of a job, or to participate in other terms, conditions and privileges of employment. A reasonable accommodation may include, but is not limited to: (1) making existing facilities used by employees readily accessible to and usable by persons with disabilities; (2) Job restructuring, modifying work schedules, reassignment to a

vacant position; and (3) Acquiring or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

- E. **Undue hardship** is the result or impact of an accommodation that is unduly costly, expensive and/or disruptive or that fundamentally alters the nature of the University's operations.

Establishing Eligibility

An individual who has requested a reasonable accommodation must provide documentation from a certified health care provider that is sufficient to establish the existence of the qualifying disability and the need for the accommodation. The information provided must describe the nature, severity, and duration of the impairment; the activity or activities the impairment limits; the extent to which the impairment limits the individual's ability to perform the activity or activities; and substantiate the need for the reasonable accommodation. The applicant or employee must bear the costs associated with obtaining and providing this information to the University.

The University may require an applicant or employee to undergo further testing or evaluation by a certified health care provider to verify or further establish the claimed disability or the need for an accommodation. The cost associated with such an evaluation will be at the University's expense.

The need for a reasonable accommodation may, and often does, change. Therefore, a staff or faculty member who receives a reasonable accommodation may be required to establish his or her eligibility for an accommodation annually or more frequently, as may be appropriate.

Disability Accommodations Process and Procedures

1. To request a reasonable accommodation, a University employee should complete and submit a Disability Accommodations Form to his/her immediate supervisor, chairperson or Dean, who will consult with the Chief Human Resources Officer regarding the review and approval process. If the need for a reasonable accommodation or the form of the accommodation cannot be resolved at the supervisor, chairperson and/or Dean level, the employee should directly contact the Chief Human Resources Officer.
2. An applicant who seeks a reasonable accommodation for the job application process should contact the Chief Human Resources Officer.
3. The employee must provide medical documentation via the Disability Accommodations Health Care Provider Release Form, and the Disability Accommodations Health Care Provider Statement Form, to be completed by a

certified health care provider, and sent to the attention of the Chief Human Resources Officer (see Establishing Eligibility section.)

4. The Chief Human Resources Officer will review all accommodations requests, along with the supporting documentation, from employees and applicants. To the extent permitted by law, consult with the individual's health care provider, the University's own medical professionals and such other University personnel, including General Counsel, may be conducted in order to fully evaluate the accommodations requests.
5. Once the Chief Human Resources Officer makes a final determination in favor of providing a reasonable accommodation, the employee, applicant, appropriate supervisor, chairperson or Dean will be notified. The designated department shall implement the accommodation and such funding for a reasonable accommodation will be handled in the same manner as any other departmental expenditure. If accommodations other than the one requested by the employee or applicant are determined by the University to be reasonable, the University will, as may be appropriate, consider the employee or applicant's preference. The final determination as to the reasonable accommodation to be implemented will remain with the University. When it is determined that an accommodation will not be offered, an explanation will be provided to the individual in writing.

Confidentiality

All information and documentation acquired in relation to requests for reasonable accommodations will be kept confidential to the extent required and permitted by law. Confidential information will only be made available to others on a need to know basis.

Complaint Procedure

If a University employee believes that he or she has been discriminated against on the basis of a disability, please refer to the internal complaint process set forth in the University's Unlawful Harassment Policy. If an applicant believes that he or she has been discriminated against on the basis of a disability, a complaint may be filed with the Chief Human Resources Officer. At any time, an individual may pursue other remedies available under applicable federal, state or local law.

Forms:

Disability Accommodations Request Form, Disability Accommodations Health Care Provider Release Form, Disability Accommodations Health Care Provider Statement Form, Disability Accommodations Instructions.