

# **EMPLOYMENT AND ACCOMMODATION**

## **An Introduction to "Reasonable Accommodation" for Disability**

**STATE UNIVERSITY OF NEW YORK AT NEW PALTZ**

**Prepared by the Affirmative Action Office**

The Rehabilitation Act of 1973 and the Americans With Disabilities Act of 1990 (ADA) are clear in establishing non-discrimination for persons with disabilities and qualified nondisabled persons related to or associated with a person with a disability. The ADA prohibits discrimination based on disability in a public entity, and the Rehabilitation Act prohibits discrimination in programs or activities receiving federal financial assistance.

In addition, both Acts require employers to provide a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless it can be shown that the accommodation would impose an undue hardship on the business. Although many people with disabilities can perform jobs without the need for accommodations, there are many others who are excluded from jobs because of barriers in the workplace and the work environment. Thus reasonable accommodation is a key non-discrimination requirement of these acts.

### **DEFINITIONS**

#### **According to the Americans with Disabilities Act:**

\* A **reasonable accommodation** is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to have an equal employment opportunity.

\* 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 such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

## POLICY ON REASONABLE ACCOMMODATION

The State University of New York at New Paltz will consider requests for reasonable accommodation from any applicant or employee who is a **qualified individual with a disability** and who believes he/she may need such an accommodation to participate in the application process, to perform essential job functions and/or to receive equal benefits and privileges of employment.

\* Job applicants who may need accommodations to fully participate in the application and screening process should make their needs known to the Affirmative Action Office or to the Human Resources Office.

\* College employees wishing to make a request for reasonable accommodation should obtain the proper form from their supervisor or from the Affirmative Action Office.

\* It is expected that in many cases appropriate accommodations can be made without difficulty and can be approved by the employee's immediate supervisor. However, in some cases where large costs are involved or where further documentation is required, requests will be handled directly by the Affirmative Action Officer.

Applicants or employees of the State University of New York at New Paltz who consider themselves victims of discrimination based on a disability may file a grievance with the Affirmative Action Office within forty-five calendar days of the alleged discriminatory act. Complaints can also be filed with the federal Equal Employment Opportunity Commission and/or the New York State Human Rights Division.

General questions concerning this policy or allegations of non-compliance should be directed to the Affirmative Action Officer, Administration Building 301, State University of New York at New Paltz, New Paltz, N.Y. 12561, (845) 257-3293. Also check the Human Resources website at [www.newpaltz.edu/hr](http://www.newpaltz.edu/hr)