

## Access for Employees with Disabilities

**Scope:** This policy applies to all employees with respect to their employee positions at the college and to all job applicants.

### Definitions

**Reasonable Accommodation:** The effort made to make adjustments for the impairment of an employee or applicant by structuring the job or the work environment in a manner that will enable the individual with a disability to perform the essential functions of the job or, for applicants, to be considered for the job. Reasonable accommodation may include, but is not limited to, making facilities accessible, adjusting work schedules, restructuring jobs, providing assisting devices or equipment, providing readers or interpreters, and modifying work sites.

**Qualified Individuals with a Disability:** An individual with a disability whose experience, education and/or training enable the person, with or without reasonable accommodation, to perform the essential functions of the job. Whether a particular condition constitutes a disability within the meaning of the ADA requires a case-by-case determination.

**Undue Hardship:** An employer is not required to make a reasonable accommodation if it would impose an undue hardship. The concept of undue hardship includes any action that is unduly costly based on the college's resources, extensive, or disruptive that would fundamentally alter the nature or operation of the college.

**Policy:** It is the policy of the College of Southern Maryland (CSM) to adhere to all applicable federal and state laws and regulations with respect to providing reasonable accommodation as required for qualified individuals with disabilities. Therefore, CSM will provide reasonable accommodations for qualified individuals with a disability who are employees or applicants for employment, unless these pose an undue hardship on the college.

### **Process for Completing an Employee Request for Reasonable Accommodation**

- 1. Employees are responsible for initiating requests for any desired disability-related workplace accommodation by contacting the AVP of Human Resources Management and Payroll Services. Such requests shall be made in writing whenever possible.***

***Supervisors are responsible for 1) implementing reasonable accommodations recommended by the HR Executive Director or by the deciding official pursuant to the Grievance Policy (HRD 1119), 2) maintaining the confidentiality of the person requesting an accommodation and, 3) immediately notifying the AVP of Human Resources Management and Payroll Services of any request by an employee for an accommodation brought to the supervisor's attention.***

- 2. The AVP of Human Resources Management and Payroll Services will convene a panel to review the**

request. The panel will typically include the ADA Coordinator and the supervisor. The panel will seek all information necessary to make a decision on the request and will respond to the individual with a written decision that denies, modifies, or grants the accommodation requested. Where the request involves gathering and/or analyzing complex data that may require a lengthy review, the panel will provide the employee with an estimated timeframe for response. The panel may provide a “temporary” or “partial” accommodation in situations where the employee’s need is more immediate than the estimated response time.

3. The employee may file a grievance under the college’s administrative Grievance Policy (HRD 1119) if dissatisfied with the panel’s written decision on the request.

### **Process for Job Applicants to Request an Accommodation**

1. Job applicants are responsible for initial requests for any disability-related accommodation desired in order to apply for a job. Applicants are to contact the Employee Recruiting Coordinator, who will make a decision in conjunction with the ADA Coordinator and the AVP of Human Resources Management and Payroll Services
2. Appeals of decisions on requests for accommodations by job applicants may be made to the Human Resources Executive Director who will convene a panel to review and decide the appeal request.

**References:** Board policy Gen: 417; ADA, section 504, other pertinent state and federal regulations

**For more information contact:** Academic Support Services/ADA Coordinator,  
301-934-2251, Ext. 7614  
AVP of Human Resources Management and Payroll Services,  
301-934-7724  
Employee Recruiting Coordinator, 301-934-7894

Revised April 2022