

### **Flexibility of Time Limits**

The time limits listed above may be extended if circumstances warrant it, but in each case the reason for the extension should be documented before or at the time the appeal is made. The person or persons hearing the appeal shall have the authority to grant or deny such extensions.

### **Recourse Beyond the Campus**

An applicant or employee has the right to file a complaint with an appropriate outside agency – such as the Office for Civil Rights or the Massachusetts Commission Against Discrimination – regarding the denial of appeal made by representatives of the university.



### **BOSTON'S PUBLIC UNIVERSITY**

With a growing reputation for innovative research addressing complex urban issues, the University of Massachusetts Boston, metropolitan Boston's only public university, offers its diverse student population both an intimate learning environment and the rich experience of a great American city. UMass Boston's eight colleges and graduate schools serve more than 15,000 students while engaging local, national, and international constituents through academic programs, research centers, and public service activities. To learn more about UMass Boston, visit [www.umb.edu](http://www.umb.edu).

### **If you would like further information contact:**

#### **Carol DeSouza**

Office of Diversity and Inclusion  
Telephone: 617.287.7626  
Fax: 617.287.7243  
[Carol.desouza@umb.edu](mailto:Carol.desouza@umb.edu)

#### **Maureen Pelton**

Human Resources  
Telephone: 617.287.5150  
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[Maureen.pelton@umb.edu](mailto:Maureen.pelton@umb.edu)

For the forms to file for reasonable accommodation go to the ADA services section of the Office of Diversity and Inclusion web site: [www.umb.edu/odi/entry/welcome](http://www.umb.edu/odi/entry/welcome).

*This brochure is available in alternate formats as an accommodation upon request.*



## **Reasonable Accommodation in Employment**

For Persons with Disabilities



**OFFICE OF DIVERSITY AND INCLUSION**  
UNIVERSITY OF MASSACHUSETTS BOSTON

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100 Morrissey Boulevard  
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**OFFICE OF DIVERSITY AND INCLUSION**  
**OFFICE OF HUMAN RESOURCES**



# REASONABLE ACCOMMODATION IN EMPLOYMENT FOR PERSONS WITH DISABILITIES

Discrimination on the basis of disability is prohibited by both state and federal laws (including the Americans with Disabilities Amendments Act of 2008), which offer certain individuals protection against discrimination in employment and other areas. The following is the official policy of the University of Massachusetts:

## UNIVERSITY OF MASSACHUSETTS STATEMENT OF AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY

The University of Massachusetts is committed to a policy of equal opportunity without regard to race, color, religion, gender, gender identity or expression, age, sexual orientation, national origin, ancestry, disability, military status, or genetic information in employment, admission to and participation in academic programs, activities, and services, and the selection of vendors who provide services or products to the university.

To fulfill that policy, the University of Massachusetts is further committed to a program of affirmative action to eliminate or mitigate artificial barriers and to increase opportunities for the recruitment and advancement of qualified minorities, women, persons with disabilities, and covered veterans.

It is the policy of the University of Massachusetts to comply with the applicable federal and state statutes, rules, and regulations concerning equal opportunity and affirmative action.

## Who is covered under the disability laws?

An individual who qualifies for this protection by virtue of disability is someone who (a) has a physical or mental impairment which substantially limits one or more major life activity, (b) has a record of such an impairment, or (c) is regarded as having such an impairment. A “major life activity” is a function such as:

1. caring for oneself
2. performing manual tasks
3. walking
4. seeing
5. hearing
6. speaking
7. breathing
8. learning

The university is required under these laws to provide such individuals with reasonable accommodations that will help them in performing their jobs or in applying for employment. The university determines first if a request for accommodation is reasonable; if so, it is implemented in a timely fashion, using such resources as are available.

In granting a request, the university will give primary consideration to the particular accommodation requested, but may instead choose to provide a suitable and effective alternative accommodation. In cases where the request for accommodation is denied, or where the suitability of effectiveness of an alternative is questionable, the requestor may appeal this decision, as described in this brochure.

## Procedures at UMass Boston

An employee or applicant for employment who requires an accommodation should file a Request for Accommodation Form with Maureen Pelton in the Human Resources Department (617.287.5150, Maureen.pelton@umb.edu).

The steps below describe the process of requesting reasonable accommodation as it applies to job applicants and to current employees.

### For Job Applicants:

Applicants who wish to request an accommodation for the interview process itself (e.g. a sign language interpreter) should submit a copy of the Request for Accommodation Form as soon as possible to Maureen Pelton, who will make the decision to grant or deny the request. If the requested accommodation (or a suitable alternative) is granted for the job applicant’s interview process, the search committee chair will implement the accommodation for the interview. If necessary, the interview will be rescheduled so that the accommodation can be made.

Maureen Pelton, in collaboration with the search committee chair, shall determine if the request (or suitable alternative) is reasonable and the applicant could be reasonably accommodated if chosen for the position, either through the accommodation requested or through an alternative accommodation. In the event that these parties cannot reach agreement, they will meet with the ADA/§504 Compliance Officer, Carol DeSouza, who will make the final determination. If it is decided that a reasonable accommodation is possible for the applicant, the applicant’s credentials shall then be considered by the search committee without regard to the disability.

### For Current Employees:

An employee should file a Request for Accommodation Form with Maureen Pelton, as described above, and inform his or her immediate supervisor.

The decision about accommodation will be made, sometimes in collaboration with the immediate supervisor. Maureen Pelton shall determine if the request is reasonable and appropriate, or if there is a reasonable alternative accommodation.

## Guidelines for Medical Documentation

**These guidelines are designed to assist your clinician in preparing documentation of your disability in order to help determine the appropriate accommodation. Please forward documentation that meets these guidelines to Maureen Pelton in the Human Resources Office.**

- Documentation must be provided by a clinician qualified to diagnose in the appropriate area of specialization.
- Documentation must be on letterhead, typed, dated, signed, and otherwise legible.
- Documentation must be based on a current evaluation (usually within three months).

Documentation must include:

1. Clear support of the claimed disability with relevant medical and other history.

2. A description of the functional limitations resulting from the disability.
3. A description of current treatments and assistive devices and technologies with estimated effectiveness in ameliorating the impact of the disability.
4. Clear support of the direct link to and need for the requested accommodation(s).

## Provision of Reasonable Accommodation

If the determination is made that the accommodation is reasonable, the accommodation shall be provided as soon as possible. If there is to be a lapse of more than 14 calendar days, Maureen Pelton shall notify the requestor and the immediate supervisor in writing of the reason for the delay. When necessary, an interim solution shall be devised by the immediate supervisor until the reasonable accommodation can be implemented.

Any expenditure necessary to providing the accommodations shall be authorized from the ADA Fund. All equipment and materials purchased in these accommodations for employees remain the property of the university, and are inventoried by the Human Resources Department.

## Appeal Procedure

In cases where the request for accommodations is denied or the decision for an alternate accommodation is unacceptable, the requestor may take the steps described below:

- **For job applicants:** Submit the request for appeal in writing to ADA Compliance Officer Carol DeSouza within 5 business days of receipt of notification that the request for accommodation was denied. This is the final stage of appeal for job applicants.
- **For employees:** Submit the request for appeal in writing to ADA Compliance Officer Carol DeSouza within 10 business days of receipt of notification that the request for accommodation was denied. This is the final stage of appeal for employees.