Title I of the Americans with Disability Act (ADA) is a civil rights law which protects qualified individuals with disabilities in employment practices. GRU is required to provide reasonable accommodations to qualified individuals with disabilities in order to: (1) ensure equal opportunity in the application process (2) enable a qualified individual with a disability to perform his/her essential job functions (3) enable an individual with a disability to enjoy equal benefits and privileges of employment.

In addition to the ADA, GRU has established as its policy to provide reasonable accommodation for medical conditions that do not qualify as a disability under the ADA.

### Employee/Applicant’s Responsibilities

- Complete the Request for Accommodation form.
- Submit the completed Request for Accommodation form to the Office of Employment Equity (OEE).
- Meet with an OEE Counselor to discuss your accommodation request.
- At request of OEE Counselor, have healthcare provider complete the Medical Certification section of the Request for Accommodation form. Return the completed form to the OEE.

### Healthcare Provider’s Responsibilities

- Review essential functions of the job based upon current job description.
- Complete Medical Certification Statement, when requested and return to the employee or mail back to: Georgia Regents University, Office of Employment Equity 1120 15th Street, AA 137, Augusta, GA 30912.

### Department Management’s Responsibilities

- Inform employees of right to request accommodation.
- Submit a position description that identifies essential job functions to the OEE when requested.
- Allow the employee/applicant an opportunity to consult with the Office of Employment Equity.
- Consult with the OEE to determine reasonable accommodation.

### The OEE Responsibilities

- Counsel with employee/applicant and review the accommodation request process
- Review the Accommodation Request and Medical Certification Statement, if applicable, for completion and determine if the requested accommodation is reasonable and can be provided
- Notify the employee and management of the accommodation determination.
Frequently Asked Questions

1. Who is an individual with disability?
Under the ADA a person with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment or is regarded as having impairment. A substantial limitation depends on the nature, severity, and expected duration of the impairment. Determinations must be made on a case-by-case basis.

2. Who is a qualified individual with a disability?
An individual in addition to having a disability must satisfy the requisites (e.g. education, experience, skills, etc.) of the employment sought or held and must be able to perform the essential functions of the position with or without reasonable accommodation.

3. Do employees/applicants with a history of illegal drug use have rights under ADA?
Casual drug use is not a disability under the ADA. Individuals, who are addicted to drugs, have a history of addiction, or who are regarded as being addicted have an impairment under ADA. In order for an individual’s drug addiction to be considered a disability under ADA, it would have to pose a substantial limitation on one or more major life activities. In addition, the individual cannot currently be using illegal drugs.

4. What are essential functions of a job?
Essential functions are fundamental job duties that are intrinsic to the position. Whether a function is “essential” depends on such factors as the amount of time the employee spends doing the function and the effect on the institution if the employee did not perform the function.

5. What is a reasonable accommodation?
Reasonable Accommodation is a modification or adjustment to a job, an employment practice or the work environment for an employee/applicant with known qualifying physical or mental limitation(s). An accommodation request may be denied if it imposes an undue hardship to GRU.

Any individual who is not able to perform the essential functions of the job with or without reasonable accommodation is considered not qualified. An individual with a disability must be qualified to perform the essential functions of the job with or without reasonable accommodation in order to be covered by the ADA and must meet the same job standards of those who are not covered by the ADA for the job, to include minimum job requirements for education, experience, licenses, certifications and/or other qualification standards that are job related.

Examples of reasonable accommodations requests (unless it creates an undue hardship):
   (1) Job restructuring
   (2) Modifying work schedules
   (3) Reassignment to vacant position
   (4) Modifying/acquiring facilities or equipment

Reasonable accommodation does NOT require:
   (1) Lowering quality or quantity of job standards
   (2) Providing person with eyeglasses, hearing aids, etc.
   (3) Actions that are excessively costly, extensive, substantial or disruptive; or that would fundamentally alter the nature or operation of the business.
   (4) Reassigning essential functions of a job
6. Is the employer required to create a position for an employee, who because of a disability, can no longer perform the essential functions of his/her position even with reasonable accommodation?

No, the ADA does not require an employer to create positions for people with disabilities. However, the employee must be reassigned to a vacant position for which the individual is qualified if it does not involve a promotion and it would not result in an undue hardship.

7. Who may I contact for additional information?
You may contact the Office of Employment Equity at 706.721.7782 or email oee@gru.edu if you have any questions.

8. Are requests for accommodation confidential?
The reasonable accommodation process is confidential and GRU respects an individual’s right to privacy. The submitted information will be reviewed only by those individuals who have a legitimate need to know such information or who have a legitimate need to know of the determination of the request.

9. Are employees/applicants protected from retaliation?
An individual making a request for reasonable accommodation is protected from retaliation for making such a request. If the individual perceives that s/he is subjected to retaliation for such a request, this should be brought to the immediate attention of the OEE.