

XXXIII. Americans with Disabilities Act (ADA) and Reasonable Accommodation

A. Purpose

The Association of Universities for Research in Astronomy, Inc.'s (AURA) policy is to fully comply with the American with Disabilities Act and other applicable federal, state and local laws. AURA is committed to creating a welcoming and inclusive environment for all staff and applicants with disabilities. AURA works to ensure that all qualified individuals with known disabilities enjoy equal opportunity in all aspect of employment within AURA including but not limited to recruitment, selection, training, assignment, promotion, compensation, transfers, and benefits.

B. Reasonable Accommodation

When requested, reasonable and appropriate accommodations will be considered for qualified employees and applicants with disabilities. An individual is qualified if:

- a) they satisfy the requisite skill, experience, education, and other job-related requirements of the position: **and**
- b) they can perform, with or without reasonable accommodation, the essential functions of the position.

Depending on the requirements of the essential functions of the job, a reasonable workplace accommodation may include, but is not limited to:

- a) modifying work schedules or supervisory methods
- b) granting breaks or providing leave
- c) altering how or when job duties are performed
- d) removing and/or substituting a marginal function
- e) moving to a different office space
- f) providing telework
- g) providing assistive technology, including information technology and communications equipment or specially designed furniture
- h) providing a reader or other staff assistant to enable employees to perform their job functions, where the accommodation cannot be provided by current staff (See Appendix E for information on hiring staff assistants.)
- i) reconfiguring work spaces
- j) providing accessible parking
- k) providing materials in alternative formats (e.g., Braille, large print)
- l) providing a temporary reassignment to another job.

AURA fully complies with the employment requirements of the ADA and does not discriminate on the basis of disability against any qualified person. AURA will work with all qualified individuals to find a reasonable accommodation unless the accommodation would provide an undue hardship to AURA, as defined by applicable law, causes a direct threat to workplace safety or would require AURA to change the essential functions of the job. In most cases, AURA will require documentation of the disability and the need for the specific requested accommodation. All decisions related to employment will be determined by the applicant's or

employee's ability to perform the essential functions of the job with or without reasonable accommodation. AURA reserves the right to request an independent second opinion with an AURA-selected health care professional, at AURA's expense, if it is determined that the original information presented is insufficient to make a determination.

C. Procedure

- a. Each AURA location shall establish a Reasonable Accommodation procedure to ensure the needs of those with a disability are treated fairly and enjoy equal opportunity.
- b. Each AURA location's Human Resources representative is ultimately responsible for implementing the ADA procedure at their respective location. The location's Human Resources representative will see that appropriate steps are taken to:
 - i. recognize an accommodation request
 - ii. gather information
 - iii. explore accommodation options
 - iv. choose an accommodation
 - v. implement the chosen accommodation
 - vi. monitor the accommodation
 - vii. handle appeal process

D. Definitions

- a. Definition of Disability - Under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008, a person is considered to have a disability if (1) he or she has a physical or mental impairment or medical condition that substantially limits one or more major life activities (such as blindness, deafness, cancer, diabetes, epilepsy, autism, major depression, PTSD, etc.); (2) has a history or record of having such an impairment or medical condition; or (3) is regarded as having such an impairment.
- b. Reasonable Accommodation - A reasonable accommodation is any change in the workplace or the way things are customarily done that provides an equal employment opportunity to an individual with a disability. While there are some things that are not considered reasonable accommodations (e.g., removal of an essential job function or personal use items such as a hearing aid that is needed on and off the job), reasonable accommodations can cover most things that enable an individual to apply for a job, perform a job, or have equal access to the workplace and employee benefits.

Policy Title and Number: B-XXXIII – Americans with Disabilities Act and Reasonable Accommodation

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