

# MEMORANDUM

The Americans with Disabilities Act (ADA) gives civil rights protections to individuals with disabilities. Employers must reasonably accommodate the disabilities of qualified applicants or employees, unless an undue hardship would result.

Please review this memorandum carefully to understand your legal rights and UNCG policy. Regarding requesting accommodations for your work environment, you have two options.

1. **Formal ADA Process**. The formal process follows the Americans with Disabilities Act. The ADA protects certain rights of employees with “qualified disabilities” and allows a disabled employee to request a “reasonable accommodation” to assist them in their job responsibilities.
	1. What is a qualified disability?
		* The ADA applies to physical or mental conditions that substantially limit one or more major life activities, such as walking, talking, seeing, hearing, learning or working.
		* The ADA does not apply to conditions that may be corrected, such as using medicine, eyeglasses or prosthetic devices.
	2. How can a UNCG staff or faculty member request areasonable accommodation?
		* The employee must complete a “Request for Reasonable Accommodation” form, available at Human Resource Services or online at: <https://hrs.uncg.edu/Files/>
		* The employee must also complete an “Employee Disability Verification” form, also available at Human Resource Services and online.
		* Return the completed forms to Human Resource Services. These forms will provide a detailed description of the disability and documentation from a health care professional to help UNCG verify the condition, extent of limitation and identify reasonable accommodations based upon the employee’s job responsibilities and needs.
	3. What is a “reasonable accommodation”?
		* A reasonable accommodation is a modification of the work environment that provides a qualified employee with equal opportunity to perform his or her job. What is considered a reasonable accommodation in a particular circumstance depends on the type of disability and the employee’s job responsibilities.
		* For example, reasonable accommodations may include a lower back support placed in the employee’s chair, computer technology to assist with motor function, or Braille books.
	4. Will my condition remain private?
		* Any information about the employee’s condition will be maintained in confidence.
		* The information will only be disclosed to people who have a need to know in order to provide the reasonable accommodation.
2. **Informal Process**. In the event you do not choose to pursue formal procedures to document your disability, the second option is an informal process:
	1. How is the informal process different?
		* The employee is not making a formal request for an accommodation under the ADA.
		* Medical documentation and verification of the disability is not required, and there is no determination whether the employee is qualified under the ADA.
		* Any rights the employee may have under the ADA are not triggered, and not available to the employee unless the formal procedure is followed.
	2. May an accommodation still be provided?
		* A Department may or may not choose to grant the employee’s request for equipment or modification of the work environment.
		* UNCG has no legal obligation to grant an accommodation unless the employee uses the formal ADA procedure and documents a qualified disability
		* Any accommodation provided to the employee does NOT mean that UNCG regards the employee as disabled under the ADA, and does NOT grant the employee any legal rights under the ADA.
	3. How does an employee request an accommodation informally?
		* The employee should request an accommodation from his/her supervisor.
		* Then, the employee must review this letter and ask any questions regarding his/her rights and options. All questions should be directed to Human Resource Services at 334-5009
		* After that, the employee must sign, date and return a copy of this letter to Human Resource Services to create a record that you received this information prior to any accommodation.
		* Once received, Human Resource Services will contact the employee’s supervisor to identify that the employee chose to follow the informal procedure.
		* The supervisor may follow up with the department and notify the employee whether the department will provide the requested accommodation. Again, the department has no obligation to provide the requested accommodation when using this “informal” process.

If you have any questions about the contents of this document, please contact the Department of Human Resource Services by telephone at (336) 334-5009.

**READ THE FOLLOWING CAREFULLY BEFORE SIGNING THIS LETTER:**

**I ACKNOWLEDGE BY SIGNING ON THE LINE BELOW THAT I HAVE READ AND UNDERSTAND THE INFORMATION IN THIS MEMORANDUM. I ALSO UNDERSTAND AND AGREE THAT IF I DO NOT CHOOSE TO MAKE A FORMAL REQUEST FOR AN ACCOMMODATION UNDER THE ADA AND ACCEPT** **AN INFORMAL ACCOMMODATION, I HAVE NOT INVOKED MY RIGHTS UNDER THE ADA. IN THE EVENT UNCG PROVIDES MY REQUESTED INFORMAL ACCOMMODATION, I UNDERSTAND THAT UNCG DOES NOT CONSIDER ME AS A PERSON WITH A QUALIFIED DISABILITY UNDER THE ADA. I ALSO UNDERSTAND THAT I MAY NOT IN THE FUTURE REFER TO ANY INFORMAL ACCOMMODATION AS BEING “REGARDED AS” A PERSON WITH A QUALIFIED DISABILITY UNDER THE ADA TO PURSUE RIGHTS PROTECTED BY THE ADA.**

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| Faculty/Staff Member Printed Name |  | Signature |  | Date |