

The Job Accommodation Process: A Guide for Supervisors

Roles in the Job Accommodation Process

EMPLOYEE

- Discuss the need for a job accommodation with your supervisor.
- Register with UReturn and provide necessary medical documentation in order to determine eligibility for services and the need for accommodations/adjustments.
- Participate in the interactive process—a collaborative effort between an employer and employee to explore whether accommodations or adjustments can be made to remove identified barriers in the work environment, and to allow the employee to perform the essential functions of their job. (More Information about the interactive process on page 2).

SUPERVISOR

- If an employee is experiencing barriers in the work environment, or is having job performance issues that may be related to a medical condition, refer that employee to UReturn.
- In consultation with your local HR representative, consider any initial employee accommodation requests and discuss these with employee.
- Participate in the interactive process—a collaborative effort between an employer and employee to explore whether accommodations or adjustments can be

made to remove identified barriers in the work environment, and to allow the employee to perform the essential functions of their job. (More Information about the interactive process on page 2).

- Implement agreed-upon accommodation, as appropriate.
- Communicate regularly with employees who are on a medical leave of absence and discuss if job accommodations might be needed when they return to work.

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- Assist employees in obtaining medical workability information and accommodations recommendations from the employee's medical provider.
- Assess the interaction between the essential job requirements and the disability or medical condition, and the resulting barriers in the workplace.
- Recommend or suggest possible workplace accommodations or adjustments.
- Facilitate and/or participate in the interactive process as needed.
- May assist with the implementation of reasonable accommodations/adjustments, as necessary.

Initiating the Interactive Process

The job accommodation process begins when an employee informs their department that they have a medical condition or disability that is impacting their ability to perform their job in some way. The employee does not need to share details such as diagnosis or treatment information with their supervisor or human resources. The employee also doesn't need to mention the word "accommodation." The job accommodation process may be initiated in a more informal manner. Examples:

- "I can't type very well because I injured my shoulder."
- "I need to work fewer hours so I can attend therapy appointments."
- "I need a sit-stand desk because of my back pain."
- "My doctor gave me these restrictions" (gives supervisor a note).

- If at any point an employee indicates that they have a medical condition or disability that may be impacting job performance.
- Department receives a call from an employee's family member: "My family member is in the hospital and will need to be off work."

If an employee indicates to their supervisor that they are experiencing, or expect to experience, barriers in the work environment that are expected to last less than two weeks in duration, supervisors and employees have the option to work together to identify reasonable accommodations without DRC/UReturn involvement, if that is preferred by the employee AND the supervisor.

If an employee is experiencing, or expects to experience, barriers in the work environment for greater than two weeks, it is important that the supervisor explain to the

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employee that UReturn is the office at the University to serve employees with a medical condition or disability requiring accommodations or adjustments, and refer the employee to contact UReturn at 612-624-3316. The supervisor and employee should then engage in discussion to determine whether accommodations/modifications can be made to remove barriers in the work environment on a provisional basis- while the employee is in the process of connecting with UReturn. Contact human resources for assistance.

The Interactive Process

The Interactive Process is a critical part of the job accommodation process, required by the Americans with Disabilities Act Amendments Act (ADAAA). The Interactive Process is a collaborative effort between an employer and employee that will explore whether accommodations or adjustments can be made to remove identified barriers in the work environment, and that will allow the employee to perform the essential functions of their job.

As part of the Interactive Process, it may be necessary for the employee to provide documentation from a qualified medical provider that addresses disability and/or health-related impacts in the work environment. UReturn is available to facilitate the process of obtaining, and confidentially maintaining, medical documents.

Interactive discussions provide an opportunity for the employee, supervisor, and other participants to share ideas about possible accommodations or adjustments that have the potential to remove barriers and allow the employee to perform the essential functions of their job. Interactive discussions should include the employee and supervisor. UReturn Access Consultants, human resources, and other University representatives may be involved in interactive discussions as appropriate. During interactive meetings, a review of the essential job functions, and discussion about the barriers that the employee is experiencing in the work environment should take place. UReturn Access Consultants are available to offer suggestions for workplace accommodations. UReturn Access Consultants are also available to consult with departments about the reasonableness of accommodation requests. Ultimately, the department determines whether requests for workplace accommodation are reasonable. Departments may consult with human resources representatives and the Office of the General Counsel for guidance.

Disability Resource Center/UReturn

UReturn is the designated office to serve all employees with any disability or medical condition requiring job accommodations or modifications. UReturn obtains and confidentially maintains medical documents, certifies eligibility for services, recommends modifications or reasonable job accommodations, and develops plans for the provision of all modifications and accommodations. UReturn's ROLE is to collaborate with employees and their



supervisors to develop a plan that will allow the employee to STAY-AT-WORK after a medical event, medical exacerbation or diagnosis, and/or RETURN-TO-WORK after a medical leave of absence.

Access Consultants have years of expertise identifying accommodations that will allow the employee to continue to do their regular job. They are available to facilitate an interactive discussion with all parties to identify reasonable accommodations. Additionally, they strive to ensure that the University of Minnesota is in compliance with federal and state laws.

When an employee contacts Disability Resource Center/UReturn

UReturn Access Consultant explains the role of UReturn, discusses impacts of medical condition, reviews current medical documentation and gathers information about the employee's job.

- UReturn may consult with the supervisor and human resources to gather information about the employee's job.
- UReturn Access Consultant will work with the employee to gather additional medical documentation, as needed.
- UReturn Access Consultant MAY, at their discretion, conduct a Job Analysis to identify the physical and mental demands of the essential functions of a position in order to assist in identifying possible job accommodations and/or to submit this information for review by a Medical Provider.
- UReturn Access Consultant will forward only the "need to know" information to the supervisor. This includes medical restrictions, functional limitations, or recommended accommodations. This information may come in an accommodation letter or in an email.
- UReturn access consultant will recommend or suggest accommodations to the supervisor, and may assist in the implementation of accommodations.

If accommodations can be made

- The supervisor should inform the employee that accommodations can be made and implement the agreed-upon accommodations.

If the recommended accommodation cannot be made:

- After consulting human resources, the supervisor should communicate verbally, and follow up in writing, to explain why the department is unable to provide the recommended accommodation and offer alternative accommodations and/or invite additional ideas for accommodations that would eliminate or minimize the barriers faced by the employee.
- The supervisor should provide information about FMLA (if applicable) and next steps (following the supervisor's consultation with UReturn and human resources).

Frequently Asked Questions:

Q How does the UReturn office work with employees and departments?

A Disability Resource Center/UReturn is the University of Minnesota office to serve all employees with any disability or medical condition requiring accommodations or adjustments. UReturn is a confidential, neutral service committed to assisting employees and their supervisors in determining and implementing workplace accommodations/adjustments.

Q Is an employee with a disability required to work with UReturn?

A UReturn is a voluntary program, and no employee is required to work with UReturn. However, employees requesting accommodations should be directed to UReturn for assistance. Additionally, if a supervisor is made aware that an employee has a medical condition or disability that is impacting them on the job, the supervisor is responsible for referring the employee to UReturn. If you have questions about whether a referral to UReturn is appropriate, or if UReturn can be of assistance to you and/or your employee, contact UReturn at 612-624-3316.

Q An employee gave me a note from their doctor with restrictions. What should I do?

A Inform the employee that they have the option to discuss the impacts of their condition and provide the medical note to UReturn as opposed to sharing the information with you. UReturn is the designated office at the University to serve employees with a medical condition or disability requiring accommodations or adjustments. The employee may call 612-624-3316 to speak with a UReturn Access Consultant.

Q An employee has been having performance issues. I think he might be dealing with a medical condition. What should I do?

A A supervisor should not assume that an employee's performance difficulties are a result of a medical condition or disability. If at any point an employee indicates that they have a medical condition or disability that may be impacting job performance, it is critical that the department refer the employee to UReturn. Unless the employee requests an accommodation, this should be handled as a performance management issue. You also can ask the employee if there are any resources that might assist them in meeting performance expectations. Contact your human resources representative for assistance.

Q An employee informed me that she needs to take a medical leave of absence but won't tell me what the leave is for. Should I ask the employee about her medical condition, or for a note from her doctor?

A A supervisor should not ask an employee to share information about their medical condition or disability. Employees are not required to share diagnostic or treatment information with their departments. If the employee requests a medical leave of absence, it is the department's responsibility to determine leave eligibility, and inform the employee of their rights and responsibilities. Contact your HR Lead for assistance. Refer the employee to UReturn.

Q An employee has been off work due to an injury for several weeks now. Is it okay for me to contact them by phone to see how they are doing?

A Yes! When employees are away from work due to illness or injury, they may feel disengaged from workplace activities. This feeling may increase their apprehension about returning to work. Calling or emailing an employee to check on how they are doing is encouraged. Employees have different levels of comfort with sharing information about their illness or injury. You do not have to ask an employee about their medical condition in order to let them know that the department is looking forward to them returning as soon as they are able.

When discussing an employee's return to work, you may say "we are looking forward to your return to work and will need UReturn to assist us with the process." If the employee has not made contact with UReturn, encourage them to do so.

Q An employee has sustained an injury and has work restrictions. Should we wait until they can work without restrictions before we make a plan for their return to work?

A No! It is in the University's best interest to return our employees to work at the earliest medically suitable point. It is the employer's responsibility to engage in an interactive process to determine whether workplace accommodations or adjustments can be made to assist the employee in performing the essential functions of their job. UReturn can assist with assessing the interaction between the employee's current work ability and the essential job tasks, as well as make recommendations for workplace

accommodations.

Q What should I say when I meet with an employee to discuss possible accommodations?

A Explain your desire to explore possible accommodations that may assist the employee in meeting the essential requirements of their job. Focus your discussion on what the employee CAN do and also how the employee's functional limitations impact their ability to perform required job tasks. Do not focus on what the employee's medical condition is. Make the process interactive by listening to the employee's suggestions and sharing your suggestions about possible accommodations/adjustments.

If you are unsure whether you are able to provide a specific accommodation, you may tell the employee that you need to consult with other University resources, such as your HR lead and/or UReturn, and that you want to continue the discussion when you have more information.

Q What are some examples of reasonable accommodations?

A Examples:

- Making existing facilities accessible
- Providing qualified sign language interpreters
- Ergonomic equipment
- Computer accommodations
- Document conversion
- Modified work schedules
- Medical Leave of Absence
- Breaks
- Restructuring position (such as redistributing marginal functions of a position)

Q What are some examples of accommodations that are generally considered to be unreasonable?

A Examples:

- Lowering production standards
- Changing an employee's supervisor
- Eliminating an essential job function
- Providing personal care assistance or equipment
- Creating a new position for an employee

Q Who should determine whether a requested accommodation is reasonable?

A It is the supervisor's role to determine whether reasonable accommodations can be made in the



work environment, however a supervisor should always get input from HR before determining that an accommodation is unreasonable. UReturn access consultants are also available to consult with departments about the reasonableness of accommodation requests. In some cases, a department may be encouraged to consult with the Office of Human Resources (OHR), and/or the Office of the General Counsel (OGC) for assistance with determining whether or not an accommodation is reasonable.

Q An employee has asked me about another employee's accommodations. How should I respond?

A Team members and colleagues might ask questions about the accommodations that are in place for another employee. It is important that disability/medical accommodations be discussed on a need-to-know basis only.

Some appropriate ways to respond to employee questions about another employee's accommodations include: "I know your question comes from a good place, but I am unable to discuss the details of this arrangement."

"The employee has gone through the proper channels for getting this in place. I am unable to discuss arrangements that have been made for other employees. However, if you have a need for job accommodations that you would like to discuss, I would be happy to talk with you about that."

Please contact the Disability Resource Center/ UReturn at 612-624-3316 if you have any questions about this process.

Disability Resource Center/UReturn

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CONTACT URETURN

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Disability Resource Center
Office for **Equity and Diversity**

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ONLINE request for services at this link:
disability.umn.edu/how-register/register-ureturn