

SECTION THREE – AFFIRMATIVE ACTION PLAN 2012-2014

INFORMATION FOR EMPLOYEES

VII. REASONABLE ACCOMMODATION POLICY

The St. Cloud State University is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified employees and applicants face barriers to employment without the accommodation process. It is the policy of this agency to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

Definitions

Disability:

For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities; or a record of such an impairment; or being regarded as having such an impairment.

Reasonable Accommodation:

A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

- a. To assure equal opportunity in the employment process;
- b. To enable a qualified individual with a disability to perform the essential functions of a job; and
- c. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

Procedure - Current Employees and Employees Seeking Accommodation

1. This employer will inform all employees that this accommodation policy can be made available in accessible formats.
2. The employee shall inform their supervisor or the ADA Coordinator designee of the need for an accommodation.

3. The ADA Coordinator designee may request documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.
4. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:
 - a. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
 - b. Determine the precise job-related limitation.
 - c. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
 - d. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the St. Cloud State University is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
5. The ADA Coordinator designee will work with the employee to obtain technical assistance, as needed.
6. The ADA Coordinator will provide a decision to the employee within a reasonable amount of time.
7. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator designee shall work together to determine whether reassignment may be an appropriate accommodation.

Procedure-Job Applicants

1. The job applicant shall inform the ADA Coordinator designee of the need for an accommodation. The ADA Coordinator designee will discuss the needed accommodation and possible alternatives with the applicant.
2. The ADA Coordinator designee will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

Policy for Funding Accommodations

Funding must be approved by this agency for accommodations that do not cause an undue hardship.

Definition of Undue Hardship

An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of this agency.

Procedure for Determining Undue Hardship

In determining whether or not providing a reasonable accommodation would impose an "undue hardship," the agency will consider at least the following factors:

1. overall size of the program (i.e., number and type of facilities, size of budget);
2. type of the operation including the composition and structure of the work force;
3. nature and cost of the accommodation needed;
4. reasonable ability to finance the accommodation; and
5. documented good-faith efforts to explore less restrictive or less expensive alternatives including consultation with the disabled person or with knowledgeable disabled persons or organizations.

The ADA Coordinator designee will provide a decision to the employee.

Appeals

Employees or applicants who are dissatisfied with the decisions pertaining to his/her accommodation request may file an appeal with the agency head, within a reasonable period of time, for a final decision.

If the individual believes the decision is based on discriminatory reasons, then they may file a complaint internally through the agency's complaint procedure as outlined in this plan.

Supported Employment

This agency will review vacant positions and assess the current workload and needs of the office, to determine if a supported employment worker(s) might perform job tasks. If appropriate, the agency will work with the agency ADA Coordinator and organizations that provide employment services to persons with disabilities to recruit and hire individuals for supported employment if such a position is created.

Procedure for Processing Reasonable Accommodations

- A. SCSU has a continued commitment to hiring individuals with disabilities who can perform the essential functions of the job with or without reasonable accommodation. The individual designated to ADA Compliance is the Assistant Director in the Human Resources Office.
- B. Contact: (320) 308-3203; email humanresources@stcloudstate.edu Procedure for Current Employees, Employees Seeking Promotion, and Applicants:
 1. Individuals requesting an accommodation must complete the form labeled Request for Reasonable Accommodation (Appendix ~~KH~~). An individual who wishes reasonable accommodation must submit a written request either to the ADA Coordinator, or to the direct or hiring supervisor who will forward the request to the ADA Coordinator.
 2. When an accommodation has been requested, the ADA Coordinator will discuss with the supervisor the purpose of the job and essential functions and the nature of the application process.
 3. If medical documentation is not on file for the individual to support the request, a medical release form must be signed by the individual to allow the physician to be able to report to the ADA Coordinator the nature of the disability. The ADA Coordinator also discusses with the physician the essential functions of the job and the application process so the physician can comment on which functions are affected. The ADA Coordinator makes the determination as to eligibility for accommodations.

4. The ADA Coordinator, in consultation with the employee or applicant, will determine the precise job- or application-related limitations, identify potential accommodations and assess the effectiveness of each, and select and implement the most appropriate accommodation for the employee or applicant and the employer.

Reasonable accommodation is made to the functional limitations of individuals with disabilities unless accommodation would pose an undue hardship on the conduct of SCSU business. Accommodations include, but are not limited to the following:

- Modifying the requirements of an assignment or an application process to accommodate a disability. Examples of such accommodation may include job restructuring modification of the work schedule and site, and the acquisition or modification of equipment or devices to allow the employee to perform the job requirements, providing applications in alternative formats.
- Modifying building, and grounds to remove physical barriers to persons with a disability.

In designing new construction, attention is given to meeting standards set forth in [Section 503 of the Rehabilitation Act and the Americans with Disabilities Act](#) and [Americans with Disabilities Act and Amendment of 2008](#) to make the facility readily accessible to and usable by individuals with disabilities. In remodeling existing facilities, special consideration is given, to the greatest extent feasible, to making the altered portion of the facility readily accessible to and usable by individuals with disabilities.

5. If an accommodation cannot overcome the existing barriers, or if the accommodation would cause undue hardship to the operation of the agency, the employee and ADA Coordinator will work together to determine whether reassignment may be an appropriate accommodation.
 - Look for a vacant position that is equivalent to the one held by the employee.
 - If the employee is not qualified for a vacant position with or without a reasonable accommodation, or no equivalent vacant position exists, the university may, as an accommodation, reassign the individual to a vacant position in a lower classification for which the employee is qualified. In this case, the university is not required to maintain the employee's salary at the previous level.
 - Look for transfer, mobility, noncompetitive and competitive opportunities within MnSCU.
6. If in the ADA Coordinator's and that of the supervisor's opinion, the cost or scope of the accommodation might alter the nature or operation of the department. The ADA Coordinator and the supervisor will meet with the President to review the requested accommodation(s), and will consider:
 - The nature and cost of the accommodation in relation to the size and financial resources of the state as an employer; and
 - The impact of the accommodation on the nature or operation of the department.
7. The President, or his designee, will provide a decision in writing to the EAAO, the ADA designee, the supervisor and the employee or applicant within 5 working days after receipt of the analysis and recommendation.

8. Individuals who are denied a request are encouraged to talk with the Equity & Affirmative Action Officer or they have the right to file 1B.1 discrimination complaint with the Equity & Affirmative Action Officer, Ellyn L. Bartges. Email affirmativeaction@stcloudstate.edu or call (320)308-5123. They also have the right to file a complaint with the [Minnesota Department of Human Rights](#), [Department of Education-Office of Civil Rights](#), and/or the [U.S. Equal Employment Opportunity Commission](#).
9. A budget of \$5,000 is set aside in the Buildings & Grounds Department to fund reasonable accommodations.

Student disability accommodations are arranged through the Student Disabilities Services office. Owen Zimpel is the Director of this office. Their website is www.stcloudstate.edu/sds; Contact: (320)308-4080; email ojzimpel@stcloudstate.edu.

ACCESSIBLE WORKPLACE

Disability accommodations fall under the Americans with Disability Act, Amendment and Section 503 of the Rehabilitation Act of the Americans with Disability Act. St. Cloud State University in its efforts to create a safe, secure, and productive workplace, for a diverse workforce, encourages faculty and staff to contact Human Resources or the Equity & Affirmative Action Office if a short or long term medical accommodation is needed. Since 2011, the Equity & Affirmative Action Office has designed and implemented an electronic survey of the workforce to ascertain current workforce veteran and disability status. This federally required survey is a confidential, voluntary activity designed to assist the EAAO and Human Resources in meeting any job-related accommodations as per ADA Amendments Act of 2008 and the [Jobs for Veterans Act, Public Law 107-288](#). All data collected is maintained in the EAAO in locked, confidential files.

The survey is conducted annually and while the activity may appear redundant, the need for accommodations of employees changes almost on a daily basis; therefore, it is important that we conduct an annual survey to stay as current and responsive to employee's needs as possible. That said, there does not appear to be a large buy in from the workforce. For the total employees across all EEO job groups, we have fewer than double digit self-identified from 1,212 employees. This would be highly irregular and most likely statistically unlikely. We will however continue to survey the employees and encourage people who are Veterans' or who have a disability to identify in order to assist us in planning for the future.

To learn more about the Americans with Disability Act, Reasonable Accommodations and Equal Access at SCSU (policies, guidelines, procedures and resources for Disability Accommodations) go to: <http://www.stcloudstate.edu/affirmativeaction/policies/>. Recently, MnSCU has initiated a push to collect veteran's data as well. While these two survey's of veterans may seem similar or redundant, they have different purposes and are collected, analyzed and stored by different agencies for different purposes. The Equity & Affirmative Action Office of St. Cloud State University encourages all veteran's to participate in both efforts to better serve those who have served us with sacrifice, honor and distinction. Please contact the EAAO if you have any questions concerning either of these surveys (308-5123).

VETERANS

Public institutions of higher learning have traditionally been havens for those who have served our country in the military. There is a long history of collaboration between federal and state governments with colleges and universities to benefit honorably discharged men and women from all services branches. St. Cloud State University has the honor of being designated a “*G.I. JOBS Magazine* MILITARY FRIENDLY SCHOOL in 2010, 2011, 2012 and 2013”, the annual survey mentioned above is a good faith effort by SCSU to assess the current employment workforce in an attempt to determine the number of currently employed veterans at SCSU. According to the [Jobs for Veterans Act, eff. 12/1/03](#), and [Vietnam Era Veterans’ Readjustment Assistance Act of 1975](#), the workforce should be surveyed annually to assess employment of honorably discharged veterans. Several MnSCU information sites for veterans are: <http://www.students.mnscu.edu/military/index.html>, Veterans Education Transfer System (VETS), <http://www.gpslifeplan.org/mnscumilitary/> SCSU’s Veteran’s Resource Center’s website is located at www.stcloudstate.edu/veterans. Email address is veterans@stcloudstate.edu and phone number is (320)308-2185.

VIII. EVACUATION PROCEDURES FOR PERSONS WITH DISABILITIES

In the event of the closing of the University because of a weather emergency, the department/unit in which a hearing impaired person is an employee, shall designate a person responsible to notify the hearing impaired employee or a person named by the employee, of the University's closing. Additionally, each campus building has a Building Coordinator assigned for emergency notification, security, and other building concerns. Following are the Building Coordinator Emergency Procedures Responsibilities:

- In the event of an emergency, the University will send an e-mail to all Husky Net e-mail addresses and University Communications shall notify all "Star Alert" subscribers using the Star Alert notification system to describe the emergency and appropriate actions. To register for Star Alert to go: www.stcloudstate.edu/emergency.

Star Alert will:

- send a text message to the cell number(s) and/or e-mail address(es) in the Star Alert system. Notifications identified as “Star Alert” messages will note the nature of the emergency, what action, if any, you are to take, and where to find more information.
- let you know if campus is closed or if classes are delayed or cancelled.

Depending on the nature and severity of the emergency, other mechanisms may include alerts on the St. Cloud State Web site and voicemail messages on campus phones. The Building Coordinator shall be responsible for notifying all offices and classrooms in the event of a tornado alert or other emergency. Evacuation maps are posted in all buildings which indicate where exits are located and where safe areas in each floor are located. The Building Coordinator should have an internal plan for notifying all persons in the building.

The Building Coordinator shall also be familiar with the “Emergency Procedures” section of the SCSU Policies and Procedures Manual and Occupational Safety and Health Website at www.stcloudstate.edu/osh/. Each office is provided with an Emergency Procedures guide that must be posted in visible location for anyone to refer to.

SCSU asks everyone's help if or when a building needs to be evacuated. Students, faculty and/or staff who anticipate they could have a problem knowing when or how they should evacuate a

building, should alert the Vice President of Student Life & Development or the Assistant to the Vice President for Administrative Affairs, about their needs.

In the case of a fire or building evacuation, the St. Cloud Fire Department will be responsible for evacuating people within the buildings. Additionally, at the beginning of each semester, faculty are asked to remind students that in the event of an emergency building evacuation, anyone having a disability that prohibits them from moving down stairwells, should move to the nearest stairwell landing, from where the St. Cloud Fire Department can provide for their evacuation.

Emergency Information and Planning details are located at:

www.stcloudstate.edu/emergency

Weather/Emergency Closing details are located at:

www.stcloudstate.edu/humanresources/policies/weather.asp

Emergency Evacuation Floor Plans for all SCSU buildings are located at:

http://www.stcloudstate.edu/osh/emergency_preparedness/evacuation_plans/default.asp.

Important Phone Numbers:

Emergency phone – Public Safety (320) 308-3333 - or dial 9-1-1

Non-emergency phone #'s –	Public Safety (320) 308-3453
	St. Cloud Police (320) 251-1200
	St. Cloud Fire (320) 255-3473