

Workplace Accommodation Procedures¹

1. Self-Identification

To receive an accommodation in the workplace, an employee with a disability must first self-identify as having a disability. Voluntary Disclosure Forms for self-identification of a disability are available in the Benefits office and online at <https://hr.gsu.edu/service-centers/benefits/active-employees/#ada> in both screen-readable and PDF formats. The University is not required to provide a reasonable accommodation unless and until the employee has disclosed a disability, requested an accommodation, and it has been determined by the University that the employee has a qualified disability as defined under the Americans with Disabilities Act (ADA). Submission of this information is voluntary. An individual may not have acquired a disability or realized that accommodations are needed until after being hired. An employee may self-identify as having a disability during the hiring process, when first hired, or at any other time while employed by Georgia State University. However, accommodations do not apply retroactively.

A. New Employees

New employees may self-identify to Benefits as having a disability when completing new hire HR paperwork or at any time thereafter by completing and submitting to Benefits a [Voluntary Disclosure of Disability Form](#), also available in hard copy in the Benefits office. Benefits will provide the employee with information about the University's [Accommodation Policy](#).

B. Current Employees

Current employees at Georgia State University may self-identify as having a disability at any time using the [Voluntary Disclosure of Disability Form](#).

If no accommodations are being requested (i.e., if the employee submits a Voluntary Disclosure Form but no Accommodation Request Form), the paperwork will be placed on file in Benefits but no action will be taken unless and until the employee requests an accommodation by submitting a completed [Accommodation Request Form](#), also available in hard copy in the Benefits office.

2. Request for Accommodation

If an employee requires accommodations to perform their job duties as the result of a disability, they should advise their supervisor of the need and submit a completed [Accommodation Request Form](#) to

¹ This process concerns workplace accommodations for employees. Students and employees enrolled in GSU courses who require classroom/academic accommodations should contact the [Access and Accommodations Center](#). Please be advised that the workplace and classroom accommodations processes are separate.

Benefits. Benefits will provide them with an [ADA Medical Certification Form](#) for completion and signature by their health care provider, which they must submit to Benefits in a timely manner. Once submitted, Benefits will review all submitted documentation and determine whether the employee has a disability that is eligible for accommodation under the ADA. The process of reviewing the employee's request for accommodation to determine reasonable accommodations does not begin until the employee has submitted both a Request for Accommodation and supporting medical documentation. Employees are responsible for performing the essential functions of their job without accommodation until such time as Reasonable Accommodations are approved by the University.

A. Eligibility for Accommodation

Qualified employees with a disability eligible for accommodation under the ADA will be contacted by Benefits as part of the interactive process described below. Employees who do not have a disability eligible for accommodation under the ADA will be sent written notice of this determination by Benefits.

B. Insufficient Documentation

Employees who request accommodation but do not submit the required medical documentation within 8 weeks will be notified by Benefits, copied to the employee's immediate supervisor, that reasonable accommodations cannot be determined due to insufficient documentation. All information submitted to date by the employee will be placed in an inactive file and maintained according to the University's record retention guidelines. The file may be reactivated upon submission by the employee of required medical documentation.

3. Interactive Process

Once the employee has provided all required documentation and a determination is made that an employee has a disability eligible for accommodation under the ADA, Benefits will contact the employee to begin engaging in an interactive process with the employee, the employee's department, and the employee's college/division to explore options for accommodations that will be effective and will enable performance of the employee's essential functions.

4. Determination of Accommodations

Accommodation decisions are made by Benefits on a case-by-case basis, considering a variety of factors including the type and severity of the disability, functional limitations, essential functions of the employee, and specific job requirements involved. The preferences of the employee with the disability will be taken into consideration and reasonable accommodations will be selected that meet the needs of both the employee and employer. Once determined, the reasonable accommodations will be confirmed by Benefits in a memo sent to the employee and supervisor for signature.

5. Implementation of Accommodations

Approved accommodations will be implemented as soon as reasonably possible following the signature of the accommodation memo by the employee and supervisor. Benefits will follow up with the employee and supervisor to confirm that the accommodation is effective and the employee should [contact Benefits](#) for any further accommodation needs relating to the disability for which the employee has been approved for accommodation or otherwise determined eligible for ADA accommodation.

6. Appeals

The employee may [appeal the accommodation decision](#) to the Georgia State University ADA Coordinator in the Office of Equity & Civil Rights Compliance within ten (10) working days of issuance of the accommodation decision they wish to appeal. Appeals of an accommodation decision must be based on one or more of the following grounds: procedural error, substantive error, or evidence of bias as more fully described below. General dissatisfaction with an accommodation decision is not grounds for an appeal. The possible grounds for appeal are:

- A. There was a **procedural error** made during the accommodation review process that substantially impacted the outcome of the decision (*e.g.*, the employee was not given an opportunity to participate in an “interactive process,” the discussion between employer and employee about effective and reasonable accommodations).
- B. There was a **substantive error** made during the accommodation review process that substantially impacted the outcome of the decision (*e.g.*, a misunderstanding of the accommodation request). **To submit an appeal based on substantive errors, the employee must demonstrate that they already attempted to address the error(s) with the person(s) who made the original accommodation decision and were unable to resolve the issue.**
- C. There is **evidence of bias** on the part of the person(s) who made the accommodation decision that rendered them unable to consider the accommodation request objectively and completely. **To submit an appeal based on bias, the employee must demonstrate evidence of the bias they assert took place. A claim of bias without supporting evidence is not grounds for an appeal.**