

Reasonable Accommodations for Employees with Disabilities

The law:

- The amended Americans with Disabilities Act of 1990 (ADA) and Oregon law require employers to provide reasonable accommodations to qualified individuals with disabilities.¹
- An accommodation may help an employee perform the essential functions of his/her job.
- An accommodation may not be possible if it is an undue hardship to OHSU.

Reasonable Accommodation Process¹

Each employee situation is unique and AAEO evaluates each request for accommodation based on an employee's specific health condition, circumstances and job at OHSU. The most common process steps are listed below, though it may not be necessary to follow each step or in this order.

1. **NOTICE.** The employee informs his/her supervisor or Human Resources (HR) of the need for a workplace modification or accommodation due to a mental or physical condition. Or, an employee submits an ADA reasonable accommodation request form to AAEO.
2. **MEDICAL RELEASE.** This release authorizes AAEO to obtain protected health information (PHI) from one or more medical providers to support the request. The release form is included with the request form.
3. **POSITION DESCRIPTION.** AAEO notifies the employee's supervisor and HR of the request. AAEO also gets a position description from the employee's department.
4. **AAEO INTERVIEWS THE EMPLOYEE.** AAEO begins an interactive process by meeting with the employee for an interview to learn more about the employee's situation, needs and to advise on options.
5. **JOB DUTIES.** AAEO talks with the supervisor and/or HR to gain their insight and perspective on other aspects of the employee's situation and the essential functions of the job.
6. **HEALTHCARE PROVIDER VERIFICATION.** AAEO sends questions to the employee's healthcare provider(s). Some questions help verify whether the employee qualifies as a person with a disability under the law and other questions are tailored to the specific request(s) for accommodation. The process may take longer if a provider does not respond in a timely manner. It may be necessary to send follow-up information requests to a provider.
7. **AAEO MEETS WITH MANAGEMENT.** Upon a provider response, AAEO will meet with management, and sometimes the employee and others to discuss the accommodation request.
8. **AAEO PROVIDES DETERMINATION.** AAEO makes a determination of whether the employee is a qualified individual with a disability and provides a determination and reasonable accommodation plan in writing to the employee and supervisor.

Confidentiality and non-retaliation

AAEO will provide accommodation request information to management and HR as necessary to achieve the interactive process. Medical information, including (but not limited to) diagnosis and provider names or specialties, is not shared unless there is a *need to know*. OHSU policy protects against harassment, discrimination, and retaliation for requesting, receiving, or using an ADA reasonable accommodation.

¹ Reasonable accommodations for students with disabilities are handled by the OHSU Office for Student Access. You can reach Student Access at 503-494-0082.