

ARTICLE 22
REASONABLE ACCOMMODATION

A. GENERAL PROVISIONS

In a manner that is consistent with applicable law, the University shall provide reasonable accommodation to qualified Postdoctoral Scholars who are disabled or become disabled and need assistance to perform the essential functions of their jobs. This section shall not be construed as a guarantee of a specific form of accommodation. The interactive process shall be used to determine what, if any, reasonable accommodation will be made and to monitor the continuing effectiveness of the accommodation.

B. MEDICAL DOCUMENTATION

When requested by the University, the Postdoctoral Scholar is responsible for providing the University with medical documentation identifying work restrictions and how such restrictions limit the Postdoctoral Scholar's ability to perform the essential functions of the job. The University may require that a Postdoctoral Scholar be examined by an appropriate University-appointed licensed health care provider. In such a case, the University shall pay the costs of the University-appointed health care provider.

C. THE INTERACTIVE PROCESS

1. When a Postdoctoral Scholar requests reasonable accommodation for a disability or the University has reason to believe that a reasonable accommodation is needed, the parties will engage in the interactive process, which is an ongoing dialogue between the Postdoctoral Scholar and appropriate University representatives (e.g., supervisor, departmental administrator, Principal Investigator, department or unit head, or vocational rehabilitation counselor) about possible options for reasonably accommodating the Postdoctoral Scholar's disability. Options for reasonable accommodation may include, but are not limited to: assistive devices; modification of existing facilities; restructuring the job to eliminate non-essential job functions; and leaves of absence. Both the University and the Postdoctoral Scholar are expected to participate in the interactive process in good faith, which includes engaging in timely communications regarding possible reasonable accommodation. The Postdoctoral Scholar may elect to have the Union represent them in this process.
2. During the interactive process, the University considers information related to: the essential functions of the job; the Postdoctoral Scholar's functional limitations; possible accommodations; the reasonableness of possible accommodations; and issues related to the implementation of a reasonable accommodation. This information will be used by the University to determine what, if any, reasonable accommodation will be made. While the University will consider the Postdoctoral

Scholar's suggestions regarding which accommodation(s) to implement, the University will determine which accommodation(s) will be implemented.

- a. The University will consider reasonable accommodations that would enable the Postdoctoral Scholar to continue (or resume) performing the essential functions of their assigned position for the duration of the appointment, which may include a temporary alternate assignment.
- b. If the Postdoctoral Scholar cannot be reasonably accommodated in accordance with 2.a. above, the Postdoctoral Scholar will be provided with a leave of absence as a reasonable accommodation as defined in paragraphs c, d and e below.
- c. In addition to any leave to which the employee may be entitled as Family and Medical Leave and/or Pregnancy Disability Leave, the Postdoctoral Scholar will be provided with unpaid leave time of no more than ninety (90) days as a reasonable accommodation, unless otherwise required by law.
- d. The Postdoctoral Scholar may use any accrued sick days or paid time off to be compensated during this period of otherwise unpaid leave.
- e. In no circumstances shall leave be granted beyond the expiration of the Postdoctoral Scholar's current appointment.

3. Temporary Work Adjustment

- a. If the Interactive Process is initiated in accordance with Section C above, the supervisor/department administrator, in consultation with the disability management team, may assist in a temporary work adjustment until the Interactive Process is completed.
- b. Such workplace adjustment may be the ultimate reasonable accommodation as determined by the Interactive Process.

D. The University is not obligated to implement an accommodation that would present an undue hardship.