



Disability Accommodation Process for Faculty and Staff

POLICY STATEMENT

When a faculty or staff member is unable to perform the essential functions of a currently held position because of a disability covered under the federal Americans with Disabilities Act or other federal, state, and local laws and regulations, Cornell University has established this policy and procedure to evaluate requests for reasonable workplace accommodations that allow the staff or faculty member to perform these responsibilities.

REASON FOR POLICY

The university is committed to diversity, inclusion, and nondiscrimination, and supports the employment of qualified individuals with disabilities in its workforce in accordance with federal, state, and local laws, and regulations.

ENTITIES AFFECTED BY THIS POLICY

- Ithaca campus units of the university

WHO SHOULD READ THIS POLICY

- Faculty and staff members
- Applicants for employment, who may request a reasonable accommodation to participate in the application/interview process

◆**Note:** Undergraduate students, graduate students, and student employees should refer to the Office of Student Disability Services, at sds.cornell.edu.

WEB ADDRESS FOR THIS POLICY

- This policy: www.dfa.cornell.edu/tools-library/policies/disability-accommodation-process-faculty-and-staff
- University Policy Office: www.policy.cornell.edu

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RELATED RESOURCES

University Policies and Documents

[University Policy 6.2.1, Leaves for Professors and Academic Staff](#)

[University Policy 6.4, Prohibited Discrimination, Protected-Status Harassment, Sexual Harassment, and Sexual Assault and Violence](#)

[University Policy 6.9, Time Away from Work \(Excluding Academic and Bargaining Unit Staff\): section on Medical Leaves for Staff](#)

[University Policy 8.6, Environment, Health, and Safety](#)

[Collective Bargaining Agreements \(for bargaining unit employees\)](#)

[Human Resources Policy 6.11.4, Staff Complaint and Grievance Procedure](#)

External Documentation

[Americans with Disabilities Act of 1990](#)

[Americans with Disabilities Act Amendments Act of 2008](#)

[New York City Human Rights Law](#)

[New York City Local Law 58 – Accessibility](#)

[New York State Human Rights Law](#)

[Pregnancy Discrimination Act \(amendment to Title VII of the Civil Rights Act of 1964\)](#)

[Rehabilitation Act of 1973 \(Section 504\)](#)

University Forms and Systems

Disability Accommodation Forms and Information at
www.hr.cornell.edu/policies/all/disability_accommodation.html

Used to request an accommodation based on a disability as defined by this policy.

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CONTACTS

Please direct general questions about University Policy 6.13, Disability Accommodation Process to your human resources representative. If you have questions about specific issues, call the following offices:

Subject	Contact	Telephone	Email/Web Address
Policy Clarification	Office of Workforce Policy and Labor Relations (WPLR)	(607) 254-7232 (607) 255-0298 fax	equalopportunity@cornell.edu
Accessibility to Facilities on Campus: Faculty and Staff	ADA Coordinator for Facilities	(607) 255-5150	ah45@cornell.edu
Accessibility to Facilities on Campus: Students	Student Disability Services	(607) 254-4545	sds_cu@cornell.edu sds.cornell.edu
Accessible Transportation and Parking Requests	Commuter and Parking Services	(607) 255-7275	transportation@cornell.edu www.transportation.cornell.edu
Counseling	Faculty and Staff Assistance Program (FSAP)	(607) 255-2673 (5-COPE)	www.fsap.cornell.edu
Medical Leaves for Faculty	Academic Human Resources	(607) 254-6404	equalopportunity@cornell.edu
Resolving Disagreements with the Determination Regarding Accommodation and/or the Proposed Accommodation	University Ombudsman	(607) 255-4321	ombudsman@cornell.edu ombudsman.cornell.edu
	Office of Workforce Policy and Labor Relations (WPLR)	(607) 254-7232 (607) 255-0298 fax	equalopportunity@cornell.edu
Request for Workplace Accommodation - Applicants for Employment	Office of Workforce Policy and Labor Relations (WPLR)	(607) 254-7232 (607) 255-0298 fax	equalopportunity@cornell.edu
Request for Workplace Accommodation: Faculty and Staff	Medical Leaves Administration (MLA)	(607) 255-1216	can29@cornell.edu
		(607) 255-1260	cd544@cornell.edu
Returning from Leave Due to Disability	Medical Leaves Administration (MLA)	(607) 255-1216 (607) 255-1260	can29@cornell.edu cd544@cornell.edu
Transitional Work Opportunities for Faculty and Staff Members Recovering from Illness or Injury	Musculoskeletal Injury Prevention Program (MIPP)	(607) 255-1360	www.hr.cornell.edu/benefits/medical_leaves/mipp.html

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RESPONSIBILITIES

The major responsibilities each party has in connection with this policy are as follows:

Faculty and Staff Assistance Program (FSAP)	<p>Provide confidential counseling to faculty and staff members.</p> <p>Upon request, refer faculty and staff members with disability accommodation request concerns to Workforce Policy and Labor Relations (WPLR).</p> <p>Refer requests regarding return from leave or short-term disability to Medical Leaves Administration (MLA).</p>
Individual (Faculty or Staff Member Seeking Disability Accommodation)	<p>Contact the local human resources representative or MLA to initiate requests for any desired disability-related workplace accommodation.</p>
Local Human Resources Representative	<p>Provide information to faculty and staff members about disability accommodations.</p> <p>Refer faculty and staff members who request disability accommodation to MLA.</p> <p>Provide ongoing assistance to faculty and staff members, supervisors, and unit heads regarding disability accommodation.</p>
Medical Leaves Administration (MLA)	<p>Provide consultative services for the university community with regard to disability-related workplace accommodations.</p> <p>Review, administer, and provide assistance for disability-related workplace accommodation requests.</p> <p>In conjunction with Workforce Policy and Labor Relations (WPLR), make a determination as to whether the individual requesting accommodation is a qualified individual with a disability, the nature and appropriateness of an accommodation, and whether such accommodation may cause any undue hardship for the unit or the university.</p> <p>Coordinate accommodation efforts with WPLR, where appropriate.</p>
Musculoskeletal Injury Prevention Program (MIPP)	<p>Facilitate the return to work of faculty or staff members who cannot perform all of their job duties due to illness, injury, or disability, and coordinate these efforts with WPLR and MLA, where appropriate.</p>
Supervisor or Unit Head	<p>Immediately notify the appropriate HR representative of any disability accommodation request received from a faculty or staff member.</p> <p>Provide to MLA a job description, other information about the essential functions of a job, and information about reasonableness of an accommodation.</p> <p>Implement reasonable accommodations determined and recommended by MLA.</p> <p>Except where necessary for the accommodation, preserve the confidentiality of the faculty or staff member who has requested disability accommodation.</p>
University	<p>Strive to maintain an environment that is committed to diversity, inclusion and nondiscrimination.</p> <p>In certain situations, provide reasonable accommodations that allow staff and faculty members with disabilities to perform their responsibilities.</p>

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RESPONSIBILITIES, CONTINUED

Workforce Policy and Labor Relations (WPLR)	
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Coordinate overall responses to disability accommodation requests, as appropriate.

Respond to inquiries regarding disability issues, referring inquiries to the appropriate office, as necessary.

Investigate complaints arising out of requests for disability accommodation that are denied.

Administer requests from applicants for positions at Cornell University for disability accommodation related to the application/interview process.

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PRINCIPLES

Overview

Cornell University is committed to diversity, inclusion, and nondiscrimination and supports the full employment of qualified individuals with disabilities in its workforce. To support this commitment, the university uses an interactive process to assist individuals with disabilities in requesting a reasonable accommodation. Retaliation against an individual seeking an accommodation is prohibited.

Scope of Policy

This policy requires university faculty and staff members to act in a prescribed manner on requests for reasonable accommodations based on disabilities. In addition, this policy provides a means for current faculty and staff members, faculty and staff members on leave, and applicants for employment to request such accommodations.

◆**Note:** An applicant for employment at Cornell who may require an accommodation for a disability in order to participate in the application/interview process may contact Workforce Policy and Labor Relations (see Contacts).

◆**Note:** A faculty or staff member who is pregnant or has given birth may be entitled to a reasonable accommodation due to work limitations caused by pregnancy, childbirth, or any related medical condition.

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PROCEDURES

Requesting a Disability Accommodation: Faculty and Staff Members

The complete procedures to request a reasonable accommodation, the implementation responsibilities for university offices, a list of support offices to assist faculty and staff members, and the accompanying definitions for each element of requesting a reasonable accommodation are maintained by the Medical Leaves Administration (MLA). Contact MLA for a printed copy of this information (see Contacts).

The procedure for requesting an accommodation consists of three primary steps:

1. The faculty or staff member submits to MLA a completed Request for Accommodation and Medical Verification forms accompanied by all required medical or other documentation (see Related Resources).

◆**Notes:**

- To discuss the request prior to submission, contact MLA (see Contacts).
 - Staff members requesting an accommodation who are returning from medical leave should also see University Policy 6.9, Medical Leaves for Staff. Faculty members, see University Policy 6.2.1, Leaves for Professors and Academic Staff. (See Related Resources.)
2. MLA evaluates the request through discussion among the employee and others, as necessary. An MLA representative will:
 - a. Determine whether an employee requesting accommodation is a qualified individual with a disability, the nature and appropriateness of an accommodation, and whether such accommodation may cause any undue hardship for the unit or the university.

◆**Note:** When considering an accommodation request, MLA may enlist the assistance of others with responsibility for certain aspects of this procedure, including, but not limited to, the supervisor, the local human resources (HR) representative, Workforce Policy and Labor Relations (WPLR), Faculty and Staff Assistance Program, or Musculoskeletal Injury Prevention Program, as in the case of accommodations needed upon return from medical leave.
 - b. Discuss the results of the request with the unit or individual seeking the accommodation, as necessary and appropriate.
 - c. Notify the associated HR representative and supervisor or unit head of the approval or denial of the request, as needed.

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PROCEDURES, CONTINUED

- d. If an accommodation cannot be made, explain the university's accommodation process to the employee and advise the employee of the next steps to be taken, if any, such as the appeal process.
3. The university will take steps according to the outcome of the determination:
 - a. If an accommodation is granted, the university will implement the accommodation by informing the unit of such accommodation. There is no appeal by the unit from the granting of an accommodation.
 - b. If an accommodation will not be pursued, the university will notify the unit.
 - c. If the accommodation is not granted, or if the requestor of the accommodation is not satisfied with the accommodation that is granted, the requestor of the accommodation may seek to resolve such disagreement informally, through WPLR or the University Ombudsman, or formally based on the grounds, if applicable, under University Policy 6.4, Prohibited Discrimination, Protected-Status Harassment, Sexual Harassment, and Sexual Assault and Violence (contact WPLR or the University Ombudsman for guidance).

**Requesting a
Disability
Accommodation:
Applicants for
Employment**

An applicant for a position at Cornell who may require an accommodation for a disability in order to participate in the application/interview process may contact WPLR (see Contacts).

**Confidentiality and
Records**

Faculty and staff members should send medical information to MLA and not to their unit heads, HR representative, or supervisors. Unit heads, HR representatives, or supervisors who receive confidential medical information regarding a faculty or staff member's disability are responsible to maintain the confidentiality of such information. To that end, materials related to an employee's disability, including the Request for Accommodation and any medical information, must be placed in a separate employee medical file. This file should be held in a separate, distinct, and secure location.

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