

AMERICAN WITH DISABILITIES ACT (ADA) INFORMATION AND RESOURCES

TABLE OF CONTENTS

COMMITMENT TO DIVERSITY AND INCLUSION	Pg. 2
<ul style="list-style-type: none">– ADA and Related Laws– Faculty, Staff and Applicants for Employment with Disabilities– Human Resources Management and the Office of Institutional Diversity and Inclusion– Northeastern Provides Reasonable Accommodations	
POLICY ON REASONABLE ACCOMMODATION	Pg. 4
PROCESS TO REQUEST REASONABLE ACCOMMODATION	Pg. 6
<ul style="list-style-type: none">– Interactive Process– Applicants for Employment– Faculty and Staff– Financial Responsibilities for Accommodations– Appeals	
FORMS	Pg. 9
RIGHTS AND RESPONSIBILITIES OF FACULTY, STAFF, AND APPLICANTS	Pg. 10
<ul style="list-style-type: none">– Duty to Cooperate– Freedom from Retaliation– Confidentiality	
DEFINITIONS	Pg. 11
FREQUENTLY ASKED QUESTIONS	Pg. 13

COMMITMENT TO DIVERSITY AND INCLUSION

ADA AND RELATED LAWS

Northeastern University is fully committed to creating a community characterized by inclusion and diversity.

As part of this commitment, Northeastern upholds the American with Disabilities Act as Amended of 2008 and the American with Disabilities Act and Section 504 of Rehabilitation Act, hereafter referred to collectively as the ADA.

This document outlines the resources available to faculty and staff as well as applicants for employment. Students seeking assistance should contact the [Northeastern University Disability Resource Center](#).

The ADA requires Northeastern University to provide reasonable accommodations to faculty, staff, and students with disabilities unless doing so would create an undue hardship, compromise the health and safety of members of the university community, or fundamentally alter the nature of the university's employment mission.

Reasonable accommodation will be provided for qualified individuals with disabilities, including chronic illness, in a fair and equitable manner, and in accordance with applicable federal and state law. All individuals who are responsible for the implementation of the university's mission are required to support the university's commitment.

FACULTY, STAFF, AND APPLICANTS FOR EMPLOYMENT WITH DISABILITIES

Northeastern University is committed to achieving equal employment opportunities and full participation for persons with disabilities in accordance with the ADA. To this end, it is the university's policy that no qualified person shall be excluded from consideration for employment, be denied the benefits of any university program and/or activity, or otherwise experience discrimination.

A person with a disability will be ensured the same access to programs, opportunities, and activities at the university as all others. We are committed to identifying and removing existing barriers. In addition, Northeastern will remain attentive to ensure new barriers are not created.

Achieving full participation and integration of people with disabilities requires the cooperative efforts of all university departments, offices, and individuals. To this end the university will continue to strive to achieve excellence in its services and to assure that its programs and services are delivered in an equitable and efficient manner to all members of the Northeastern community.

HUMAN RESOURCES MANAGEMENT (HRM) AND THE OFFICE OF INSTITUTIONAL DIVERSITY AND INCLUSION (OIDI)

As part of the university's commitment to diversity and inclusion, [Human Resources Management](#) (HRM) and the [Office of Institutional Diversity and Inclusion](#) (OIDI) are important resources for to help provide faculty, staff, and applicants with equal access to all university programs and services and to

ensure full compliance with the ADA. In addition, these offices can help with a variety of accommodation requests for documented disabilities as defined by the ADA.

For additional information or to request an accommodation, you may also contact the offices directly:

Human Resources Management 716 Columbus Avenue – CP 250 Boston, MA 02115 Telephone: 617-373-2230 Fax: 617-373-5090 Email: HRMInfo@neu.edu	Office of Institutional Diversity and Inclusion 125 Richards Hall 360 Huntington Avenue Boston, MA 02115 Phone: 617.373.2133 Fax: 617.373.4146 Email: diversity@neu.edu
--	---

NORTHEASTERN PROVIDES REASONABLE ACCOMMODATIONS

Northeastern University provides reasonable accommodations to qualified individuals with disabilities who require them to safely and effectively perform the essential functions of their positions, or to participate in the employment application process.

When an employee or applicant for employment requests a reasonable accommodation, it is Northeastern University’s responsibility to determine whether he or she has a disability for which an accommodation is required, what constitutes an appropriate accommodation, and whether the accommodation requested is reasonable. The decision is made by appropriate university officials on a case by case basis through the *Interactive Process* with the individual requesting an accommodation. This process often includes review of appropriate documentation from the individual’s medical provider. It is the responsibility of the individual requesting the accommodation to provide sufficient information to support the need for the accommodation requested.

Northeastern’s [policy on reasonable accommodation](#) is available on the university’s website and included directly below in this document.

POLICY ON REASONABLE ACCOMMODATION

I. Purpose and Scope

The university recognizes that individuals with a disability or handicap may need a reasonable accommodation to have equally effective opportunities to participate in employment. The purpose of this policy is to meet requirements of federal and state anti-discrimination laws and to provide employees with reasonable accommodations as required by law.

This policy applies to qualified disabled and/or handicapped applicants and employees.

II. Definitions

For the purposes of this policy, Federal and State anti-discrimination law definitions of disability and handicap, reasonable accommodations, undue hardship and other definitions and legal standards pertinent to the provision of reasonable accommodations will apply.

(Consistent with the terminology utilized in the Federal and State anti-discrimination laws, the university uses the words “handicap” and “disability” in this policy. However, the university recognizes that not all persons with medical conditions who are covered under these laws consider themselves to be handicapped or disabled.)

III. Policy

The university is committed to providing equal access to employment opportunities for qualified persons with disabilities or handicaps.

Upon request or upon notice of the need for an accommodation, the university will provide a reasonable accommodation to any otherwise qualified disabled or handicapped applicant or employee so long as such accommodation does not create an undue burden on the university, as defined by law.

The university provides reasonable accommodations:

- when an applicant with a disability or handicap needs an accommodation in order to be considered for a job;
- when an otherwise qualified employee with a disability or handicap needs an accommodation to enable him or her to perform the essential functions of the job or to gain access to the workplace, and
- when an employee with a disability or handicap needs an accommodation to access the benefits and privileges of employment.

The university will process requests for reasonable accommodation and provide reasonable accommodations in a prompt, fair and efficient manner.

IV. Additional Information

An applicant for employment may request a reasonable accommodation orally or in writing from the university employee with whom the applicant has contact in connection with the application process or through Human Resource Management (“HRM”).

An employee (faculty or staff) may request a reasonable accommodation orally or in writing from his/her *immediate leader*, HRM, or the Office of Institutional Diversity and Inclusion (“OIDI”).

Oral requests for accommodations should be reduced to writing.

Under certain circumstances, as allowed or required by applicable law, an employee may be required to provide medical documentation to support a request for a reasonable accommodation. An employee also may be required to undergo an independent medical examination.

If an individual feels that he or she has been unfairly denied a reasonable accommodation, he or she may file a complaint with OIDI. In addition, a complaint may be filed with either or both of the agencies listed below. Filing a complaint with OIDI does not prohibit an individual from filing a complaint with these agencies:

The United States Equal Employment Opportunity Commission (the “EEOC”)
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(617) 565-3200 or 1 (800) 669-4000

The Massachusetts Commission Against Discrimination
One Ashburton Place, Suite 601
Boston, MA 02108
(617) 994-6000

V. Contact Information

Office of Institutional Diversity and Inclusion (617) 373-2133
Human Resources Management (617) 373-2230

PROCESS TO REQUEST REASONABLE ACCOMMODATION

The following outlines the process that applicants for employment and faculty and staff should follow when requesting a reasonable accommodation. As a reminder, students requesting a reasonable accommodation should contact the [Northeastern University Disability Resource Center](#).

INTERACTIVE PROCESS

Northeastern University uses an *Interactive Process* to assess each request for a reasonable accommodation. The *Interactive Process* is the procedure through which the university and an employee or applicant with a documented disability work together to identify what barriers exist to the employee's ability to perform essential functions of a particular job or the applicant's ability to participate in the application process.

APPLICANTS FOR EMPLOYMENT

At any point in the application process, applicants for employment may request a reasonable accommodation to participate in the application process, including the interview.

FACULTY AND STAFF

Members of the faculty or staff who are requesting a reasonable accommodation should complete the [ADA accommodation form](#) and submit it to his or her *immediate leader*.

- For staff, the *immediate leader* is the individual's direct supervisor or manager.
- For faculty, the *immediate leader* is their academic administrator such as a department chair or college dean.

It is the responsibility of the *individual requesting the accommodation* to:

- Complete the ADA Accommodation Form
- Inform *immediate leader* of the request for reasonable accommodation
- Submit required medical documentation to the Benefits Office in HRM. Please *Note: for reasons of confidentiality, all medical documentation should be submitted only to the Benefits Office.*
- Work with their HRM Consultant or ADA Coordinator as part of the *Interactive Process*

It is the responsibility of the *immediate leader* to:

- Meet with the employee to outline the process and the steps required to request the accommodation.
- If the employee has not accessed the online information, the *immediate leader* should provide the appropriate link to the employee.
- Remind the employee to provide the required medical documentation directly to the Benefits Office in HRM. Please *Note: for reasons of confidentiality, all medical documentation should be submitted directly to the Benefits Office.*

- Work with the HRM Consultant or ADA Coordinator as part of the *Interactive Process*
- Document each of the above steps

The individual requesting the accommodation and the *immediate leader* should work with their [HRM Consultant](#) assigned to the area or the [ADA Coordinator](#) from OIDI to complete the *Interactive Process*.

It is the responsibility of OIDI to determine whether the disability is ADA eligible.

If the accommodation request is approved, OIDI will send a notification letter to the employee and the *immediate leader*. If the notification supports the specific request submitted by the employee, the *immediate leader* will meet with the employee to review and implement the agreed upon accommodation. The *immediate leader* may consult with the HRM Consultant or the ADA Coordinator to prepare for the conversation and may request guidance in accessing other university resources. The *immediate leader* will document the meeting with the employee.

If the specific accommodation requested cannot be implemented, the *immediate leader* and the HRM Consultant or the ADA Coordinator will continue the *Interactive Process* with the employee to explore the possibility of alternative accommodations. If an alternative accommodation is reached the *immediate leader* will schedule a meeting with the employee to implement the agreed upon accommodation; the *immediate leader* will document the meeting.

If it is determined that the request for accommodation is not reasonable and would create an undue hardship, OIDI will inform the employee and provide an explanation as to why the accommodation cannot be provided. OIDI may also request more detailed information from the employee to further assess the request.

FINANCIAL RESPONSIBILITIES FOR ACCOMMODATIONS

Individual departments are responsible for any cost associated with the accommodation. In the event an appropriate accommodation would result in an excessive financial burden to a particular department, a formal written request for additional funding should be presented by the Dean of the school, or the appropriate Vice President to the University Provost or the Executive Vice President, outlining the accommodation requested, the cost and any other information that would be helpful in considering the funding request.

APPEALS

If an employee or applicant wishes to appeal the outcome of a request for an accommodation or file a complaint about the manner in which an accommodation request was handled or about perceived discrimination based on the disability and/or request for an accommodation, he or she should direct the complaint to the [Office of Institutional Diversity and Inclusion](#) (OIDI).

If the matter is not rectified to the employee's or applicant's satisfaction by the ODI, a complaint may be filed with either or both of the following agencies:

Equal Employment Opportunity Commission

John F. Kennedy Federal Building

475 Government Center

Boston, MA 02203

617.565.3200 or 800.669.4000

The Massachusetts Commission Against Discrimination

One Ashburton Place

Boston, Ma 02108

617.994.6000

Filing a complaint ODI does not prohibit an individual from filing a complaint with these agencies.

FORMS

To access the ADA Request Form and/or the ADA Medical Request and Authorization form [click here](#), scroll down and select *OTHER*.

RIGHTS AND RESPONSIBILITIES OF FACULTY, STAFF AND APPLICANTS

DUTY TO COOPERATE

Members of the university are encouraged to refer individuals who may need an accommodation to the appropriate [HRM consultant](#) in HRM or the Office of Institutional Diversity and Inclusion.

Employees or applicants who request an accommodation have an obligation to supply all information requested by the university.

FREEDOM FROM RETALIATION

Any employee or applicant who believes he or she is a person with a disability has the right to request a reasonable accommodation without fear of retaliation. It is a violation of university policy to retaliate against an individual for requesting an ADA accommodation.

CONFIDENTIALITY

Information provided through the reasonable accommodation process will be kept confidential and disclosed only on a “need to know” basis. Information may also be provided to personnel called on to provide emergency medical treatment to the employee or applicant, or government officials investigating compliance with disability laws or regulations.

Any written information regarding an employee’s medical condition, including the Accommodation Request Form, will be kept in a separate file. Any written information regarding an applicant’s medical condition, including the Accommodation Request Form, will be kept in a separate file.

Any employee who has participated in the evaluation or implementation of an accommodation request must not share information about an employee’s or applicant’s medical condition or disability with others or inform other employees that an accommodation is being provided because of a co-worker’s or applicant’s medical condition or disability, unless the employee or applicant reporting the medical condition or disability has consented to the disclosure.

DEFINITIONS

ADA

Americans with Disabilities Act, also known as ADA – Americans with Disabilities Act As Amended

DISABILITY

A physical or mental impairment including any physiological disorder, or condition, cosmetic disfigurement, anatomical loss affecting one or more body systems such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, circulatory, hemic, lymphatic, skin and endocrine; OR any mental or psychological disorder such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

ESSENTIAL FUNCTIONS

Job duties typically, but not exclusively, found on a job description considered so fundamental that the individual cannot do the job without performing them.

HUMAN RESOURCES MANAGEMENT (HRM)

The role of Human Resources Management (HRM) is to design, develop, and continually refine a comprehensive human resources management program that attracts, rewards, and retains high-quality faculty and staff to meet Northeastern University's educational mission.

IMMEDIATE LEADER

For staff, the *immediate leader* is the individual's direct supervisor or manager. For faculty, the *immediate leader* is their academic administrator such as a department chair or college dean.

INTERACTIVE PROCESS

The *Interactive Process* is the procedure through which an employer and an employee or applicant with a documented disability, work together to identify what barriers exist to the employee's or applicant's performance and/or essential functions of a particular job with the intention of finding a reasonable accommodation. The *Interactive Process* often includes a review of the employee's or applicant's abilities and limitations and an analysis of which factor or job tasks may pose a difficulty and how the person may be accommodated.

MAJOR LIFE ACTIVITY

Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others and working.

OFFICE OF INSTITUTIONAL DIVERSITY AND INCLUSION (OIDI)

OIDI promotes the university's commitment to equal opportunity, affirmative action, diversity, inclusion and social justice. The OIDI also hears appeals from employees and applicants who believe they have been denied appropriate accommodations under ADA.

QUALIFIED PERSONS WITH DISABILITIES

An employee or applicant with a disability who satisfied the skill, experience, education, and other job-related requirements for the position and who can perform the essential functions of the job with or without reasonable accommodations. This includes part time, full time, probationary, and temporary employees.

REASONABLE ACCOMMODATION

The American with Disabilities Act and section 504 of the Rehabilitation Act require Northeastern University to provide appropriate and reasonable employment accommodations to employees and applicants with disabilities unless doing so would create an undue hardship, compromise the health and safety of members of the university community, or fundamentally alter the nature of the university's employment mission.

SUBSTANTIALLY LIMITS

Unable to perform at least one major life activity that most people in the general population can perform, or is substantially limited in the ability to perform a major life activity as compared to most people in the general population.

UNDUE HARDSHIP

An action requiring significant difficulty, expense, and disruption, or an action that would fundamentally alter policy and procedures or the nature of the job function.

FREQUENTLY ASKED QUESTIONS

HOW IS THE INTERACTIVE PROCESS STARTED?

The *Interactive Process* is initiated when an employee or applicant requests a reasonable accommodation from either his or her *immediate leader*, the Office of Institutional Diversity and Inclusion or their [HRM consultant](#) in HRM

HOW ARE REASONABLE ACCOMMODATIONS MADE?

Accommodations are provided through the *Interactive Process* involving the employee or applicant, the *immediate leader*, The Office of Institutional Diversity and Inclusion and Human Resources Management. The individual requesting the accommodation will be asked to obtain documentation from his or her health care provider.

WHO WILL SEE THE DOCUMENTATION RELATED TO MY DISABILITY?

Information is released on a need to know basis. This means only the individuals who are making the accommodation will be informed. Your documentation will be kept in a separate file.

WHAT MAY I DO IF I AM DENIED A REQUESTED ACCOMMODATION?

You may appeal the decision by contacting the Office of Institutional Diversity and Inclusion (OIDI) or one of the following agencies:

Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
617.565.3200 or 800.669.4000

Or

Massachusetts Commission Against Discrimination
One Ashburton Place, Suite 601
Boston, MA 02108
617.994.6000

WHAT DO I DO IF I THINK I HAVE BEEN DISCRIMINATED AGAINST OR HARASSED BECAUSE OF MY IDENTIFIED DISABILITY?

You should report alleged acts of discrimination or harassment to the the Office of Institutional Diversity and Inclusion.

WHERE DO I GO IF I HAVE QUESTIONS ABOUT THIS POLICY?

The Office of Institutional Diversity and Inclusion or your [HRM Consultant](#) in the Human Resources Management will be happy to answer your questions.