

## DEFINITIONS

*The following definitions are provided for your reference:*

**A person with a disability** is one who (a) has a physical, mental, or medical impairment resulting from anatomical, physiological, genetic, or neurological conditions that prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that such impairment, upon the provision of reasonable accommodation, does not prevent the person from performing in a reasonable manner the activities in the job sought or held.

**Physical or mental impairment** means (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine; or (b) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

**Qualified person with a disability** means a person who meets the essential eligibility requirements of an entity's academic or other program or employment opportunity and is able to perform the essential requirements of the program or job with or without reasonable accommodations.

**Reasonable accommodation** means the provision of certain necessary and effective adjustments to programs, services, and equipment that will allow a qualified individual with a known disability an equal opportunity to participate. Such accommodations will be provided unless the accommodation would impose an undue burden or hardship on the Institute, or would produce a fundamental alteration of the Institute's programs, services, or employment opportunities.

**Undue burden or hardship** means a situation that may result if the Institute is asked to provide an accommodation that imposes a significant difficulty or expense on the Institute, taking into consideration factors such as the overall size, resources, and structure of the Institute.

# EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES/ ACCOMMODATION

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## EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES/ ACCOMMODATIONS

### INDIVIDUALS WITH DISABILITIES

Section 504 of the Rehabilitation Act of 1973 (“Section 504”), the Americans with Disabilities Act of 1990 (“ADA”), the New York State Human Rights Law (“NYSHRL”) and the New York City Administrative Code (“NYC Code”) prohibit discrimination against qualified persons with disabilities solely on the basis of their disabilities and provide for accessibility to programs, goods, accommodations, and services. Pratt Institute is committed to diversity and nondiscrimination and supports the full employment of qualified individuals with disabilities in its workforce. Therefore, a process has been established to assist individuals with disabilities in requesting reasonable accommodation.

### IMPLEMENTATION AND RESPONSIBILITY

#### Employees

Employees are responsible for initiating requests for any desired disability-related workplace accommodation by notifying their supervisor and/or by filing a written request with Human Resources. Consultation between the employee’s supervisor and the Director of Human Resources will take place to determine whether the requested accommodation, or an alternate accommodation, is appropriate based upon documentation submitted by the individual and if it should be implemented. Employees with temporary disabilities, which substantially limit a major life activity, are also covered under this policy.

#### Applicants

Applicants for a position at the Institute who may require an accommodation for a disability so that they may participate in the selection process are encouraged to contact the Institute’s Human Resources Department. Human Resources will make arrangements with the appropriate individuals to provide a reasonable accommodation if necessary and appropriate.

#### Supervisors

Supervisors are responsible for immediately notifying the Director of Human Resources of any violations of this policy or the Human Rights policy and of any employee accommodation requests brought to their attention. Supervisors are also responsible for implementing the reasonable accommodations determined and recommended by Human Resources. Additionally, supervisors have the responsibility to keep the employee’s request confidential (except as necessary for the accommodation) and to help to ensure the accommodation’s work-related effectiveness.

#### Director of Human Resources

Human Resources is responsible for enforcement of this policy and the Human Rights policy as well as providing information on disability in employment and reasonable accommodations. When a request for an accommodation has been made, the Director of Human Resources will review such request in accordance with Section 504, the ADA, the NYSHRL, and the NYC Code. In cases where an accommodation has been determined, Human Resources will provide ongoing assistance to the employee and supervisor to help to ensure the effective and efficient implementation of the accommodation, and will immediately notify the appropriate office with any issue(s) of concern.

#### Title IX/Section 504 Coordinator

The Title IX/Section 504 Coordinator is available to assist members of the Institute’s community with questions and concerns regarding their rights under this policy or the Human Rights policy.

### PROCEDURES FOR REQUESTING AN ACCOMMODATION

**Request for Accommodation:** The employee is responsible for requesting a workplace accommodation by submitting a request for an accommodation to Human Resources and/or to his/her supervisor or other responsible Institute official.

**Discussion:** Following the receipt of all the necessary documentation regarding the request for accommodation, the Director of Human Resources will meet with the employee. The employee’s supervisor or other Institute official with responsibility for the employee’s position may also participate in the meeting. During the meeting, the Human Resources Director will acknowledge and discuss the request with the faculty or staff member and explain the Institute’s accommodation process and the next steps to be taken, if any.

**Verification and Documentation:** Individuals with disabilities are not required to notify the Institute or any of its officers or personnel of their disabilities. However, if individuals request support services, auxiliary aids, program modifications, or other reasonable accommodations on the basis of having a disability and the disability is not reasonably discernible, the Institute reserves the right to require written verification from a licensed physician, licensed clinical psychologist, or other professional with the ability or expertise to determine that the individual has a disability that substantially limits one or more major life events.

It is the responsibility of the employee to provide the requested medical documentation regarding the request for accommodation to Human Resources. The documentation requested for purposes of verification and analysis may vary depending on the nature and extent of the disability and the accommodation requested. Once all documentation has been received, the Director of Human Resources will evaluate the requested accommodation using legal guidelines and the Institute’s policies. In some cases, it may be necessary to discuss the nature of the disability with the employee’s licensed medical practitioner to effectively address the request for accommodation.

All requests for accommodation and all supporting information, including but not limited to medical information, are to be considered confidential and shared with Institute officials only on a need-to-know basis.

The request for an accommodation will be evaluated once all documentation has been submitted by the employee to Human Resources.

#### Review of the Request for Accommodation:

Requests for reasonable accommodations are reviewed and determined on an individual basis. The essential functions and/or core work related duties of the individual’s position will be considered along with the impact of the requested accommodation on performance of the essential functions and the department’s operation. Other factors to be considered include, but are not limited to, the type of accommodation requested, the duration of the request, the financial cost and funding for the accommodation, reasonable alternative accommodations, employee performance, effectiveness and efficiency issues, and other relevant factors.

#### Notification and Implementation of an Accommodation:

The Director of Human Resources will respond in writing to all requests for accommodation and, where appropriate, provide for implementation of a reasonable accommodation within a reasonable period of time.

### VIOLATIONS OF POLICY

Discrimination against persons with disabilities in employment is unacceptable and in violation of this policy and the Human Rights policy. Pratt urges every employee to report any and all violations of this policy and/or failure to follow the procedures outlined in this policy and/or violations of the Human Rights policy promptly so that rapid and constructive action may be taken as soon as possible. Reports of violations of this policy will be resolved in accordance with the complaint resolution procedure described in the Human Rights policy.