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**SUBJECT: EMPLOYEES WITH DISABILITIES**

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- I. **PURPOSE:** To outline the institution's policy regarding the Rehabilitation Act of 1973 and the American with Disability Act.
- II. **POLICY:** Southern Utah University is committed to equal employment opportunity and nondiscrimination as outlined in the Rehabilitation Act of 1973 and the Americans with Disabilities Act 1990 as amended. The University ensures full right of access for persons with disabilities to all terms and conditions of employment, services, programs, and activities. University employees and candidates for employment will be treated on the basis of their ability to perform essential job functions, with or without reasonable accommodation.

Consistent with this policy, the University is dedicated to:

- A. Recruit, hire, and promote on the basis of qualifications without discrimination.
- B. Ensure that decisions affecting employees are made without discrimination including, but not limited to, decisions concerning compensation, benefits, job assignments, training, opportunities for advancement, and performance evaluation.
- C. Make reasonable accommodations, as necessary, to enable an otherwise qualified individual with a disability to successfully perform the essential functions of the job.

III. **DEFINITION**

Disability - Within the scope of this policy, the term disability includes:

- A. any physical or mental impairment that substantially limits one or more major life activities,
- B. a record of such an impairment, and/or
- C. being regarded as having such an impairment.
- IV. **PROCEDURES**

Employees should contact the University's Human Resources Office for advice and/or assistance in implementing this policy.



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Employees who require accommodation are responsible for disclosing disability-related information and requesting reasonable accommodation. Decisions regarding accommodation will be made in consultation with the employee, the supervisor, department head, Director of Human Resources, and appropriate individuals inside and outside the University.

Employees must be able to perform the essential functions of the job with or without reasonable accommodation. If reasonable accommodation will not enable the employee to adequately perform the job, the employee may be judged to be not qualified for the position. The reasonableness of any accommodation will be evaluated on a case-by-case basis.

All complaints related to issues of disability should be referred to the University's Human Resources Office.

V. RESPONSIBILITIES

A. Department Heads and Supervisors

Responsible for communicating this policy to employees within their department and insuring that the policy is adhered to at all times. Supervisors will refer employees who disclose a disability or request accommodation to the University's Human Resources Office.

B. Human Resources Office

Responsible for documenting all requests for reasonable accommodation and maintaining confidential records on each contact. If an employee is determined to be a qualified person with a disability, the reasonableness of the request will be evaluated or alternative accommodations will be explored. Decisions regarding accommodation will be made in consultation with the the employee, the supervisor, department head, Director of Human Resources, and appropriate individuals inside and outside the University.

C. Director of Human Resources

Responsible for receiving requests for reasonable accommodation and consulting with the University Legal Counsel, Risk Manager and Utah Division of Risk Management as appropriate.



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Responsible for ensuring that this policy is adhered to and for appropriately posting a notice of the ADA for all employees and applicants. The Director of Human Resources is also responsible for providing advice and assistance in implementing this policy.

Responsible for investigating and responding to any complaint regarding issues of disability.

VII. Employees

Employees with disabilities are responsible to request reasonable accommodations. An employee who disagrees with Human Resources Director's determination concerning reasonable accommodation has the right to file a complaint with their respective vice president. The respective vice president will consult with the Human Resources Director, Legal Counsel and then make a final decision.