

Article 38 – Reasonable Accommodations

Section 1. The University and the Union are committed to providing reasonable accommodation to employees with disabilities. The University's disability accommodation interactive process is designed to explore reasonable accommodations for employees with medical conditions or disabilities. The Employer and Union will comply with all relevant Federal and State laws, regulations, University executive orders and the provisions of University of Washington Administrative Policy Statement 46.5 on Reasonable Accommodation of Employees With Disabilities.

Section 2. The Human Resources Consultant (HRC) for the ASE's employing Department provides services to ASEs with disabilities, including accommodation advice and resources. Accommodations are provided on an individual basis and created in collaboration with the requesting employee, the appropriate University personnel, and the Disability Services Office.

The University will send an annual communication to all managers regarding their role in the accommodation process. Upon request and no more than once per Academic Year, the Union and the University will meet to discuss training and guidance materials provided to supervisors. The purpose of these meetings is information sharing only.

Section 3. Accommodation Process. An ASE who believes that a medical condition is affecting their ability to perform their job, may begin the interactive accommodation request process. An employee may contact the Disability Services Office, their HRC, their department or unit HR representative, or their supervisor to begin the accommodation request process. An employee is not required to begin the request process by contacting their supervisor. An employee is not required to disclose their medical reason for an accommodation with their immediate supervisor.

ASEs requesting accommodation and the University will cooperate during this interactive process of discussing the need for and possible form of any accommodation. The Employer may require supporting medical documentation and may require the ASE to obtain a second medical opinion at the Employer's expense. Medical information disclosed to the University will be kept confidential and stored separately from the employee's Official Personnel File. The University will respond to completed accommodation requests as soon as possible. The employee may elect to be accompanied by a Union representative at scheduled meetings throughout this process.

The supervisor/Department administrator, in consultation with the HRC, shall explore whether providing a temporary work adjustment is reasonable, prior to an accommodation being implemented. The University has sole determination of the temporary work adjustment, including the ability to provide such temporary work adjustment, consistent with the interactive process. The Employer will determine whether an ASE is eligible for a reasonable accommodation and the final form of any accommodation to be provided. Accommodation implementation decisions will be communicated in writing to the ASE and their employing department.

Section 4. An ASE who is unable to perform the essential functions of their position due to disability may be separated from service after the Employer has made good faith efforts to reasonably accommodate the employee's disability in accordance with applicable State and Federal law. The employee will be provided written notice of the disability separation. Medical separation is not a corrective action.

If the University determines that disability separation is appropriate and that no reasonable accommodation can be made, the ASE will be given written notice of the disability separation. The University shall provide a copy of the disability separation notice to the Union within five (5) working days of providing the notice to the ASE.

Section 5. Pregnancy Accommodation. The Employer and the Union will comply with all relevant Federal and State laws, regulations, and executive orders and with the provisions of Washington Administrative Policy Statement 46.7 Reasonable Accommodation of Pregnant Employees. The University and the Union are committed to providing reasonable accommodation to pregnant employees.

- A. The following pregnancy-related accommodations shall not require health care provider certification and are not subject to an employer's claim of undue hardship:
 - 1. Providing more frequent, longer, or flexible restroom breaks;
 - 2. Modifying a no food or drink policy;
 - 3. Providing seating or allowing the employee to sit more frequently if their job requires them to stand; and
 - 4. Restricting lifting to 17lbs. or less.
- B. An employee's pregnancy or pregnancy-related health condition may also be accommodated as follows:
 - 1. Job restructuring, part-time or modified work schedules, reassignment to vacant position, or acquiring or modifying equipment, devices, or an employee's work station;
 - 2. Providing for a temporary transfer to a less strenuous or less hazardous position;
 - 3. Providing assistance with manual labor and limits on lifting;
 - 4. Scheduling flexibility for prenatal visits; and
 - 5. Any further pregnancy accommodation an employee may request.

With respect to these accommodations, the University may request an employee provide written certification from their treating health care provider regarding the need for reasonable accommodations.