Purpose

This policy was established to ensure nondiscrimination in the selection, employment, and advancement practices of applicants and employees with disabilities in compliance with federal and state regulations.

Definitions

Disability

(1) A physical disorder or condition that limits a major life activity; (2) a mental or psychological disorder or condition that limits a major life activity; (3) a Medical Condition (as defined below); and (4) any other condition recognized as a disability under applicable law.

Interactive Process

The process by which the University and the employee engage in a dialogue about the employee’s functional work limitations due to a disability and any accommodation that can be provided that would allow the employee to perform the essential functions of the position.

Medical Condition

1) A cancer-related physical or mental health impairment from a diagnosis, record or history of cancer; or (2) a genetic characteristic that is known to be a cause of a disease or disorder that is associated with a statistically increased risk of development of a disease or disorder, though presently not associated with any disease or disorder symptoms.

Qualified Individual with a Disability

A qualified individual with a disability is a person who meets legitimate skills, experience, education and other requirements of an employment position that he or she holds or seeks, and who can perform the essential functions, or fundamental duties, of the position with or
without reasonable accommodation.

Reasonable Accommodation

Any change or adjustment to a job or work environment that enables an individual with a disability to enjoy equal access or equal employment opportunities and would not impose an undue hardship on the employer's business. Reasonable accommodations may include, but are not limited to, additional leave, part-time schedule, job restructuring, or use of specialized equipment.

Undue Hardship

Undue hardship means an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation.

Policy

A. All applicants and employees of UCSF with disabilities are afforded an interactive process to assess reasonable accommodations. The Interactive process is the ongoing process by which the University and the qualified individual with a disability engage in a dialogue to determine what, if any, accommodation may be implemented to allow the qualified individual to perform the essential functions of his/her position or another position within the University. During the interactive process, the University may ask questions that will enable it to make an informed decision about the request. This includes exchanging information about the desired accommodation and a discussion regarding the nature of the problem prompting the request and how the qualified individual believes their disability requires an accommodation.

B. Disability Management Services (DMS) provides faculty, staff, residents, and postdoctoral scholars with temporary and permanent restrictions; assistance via resource referrals, counseling, accommodations, and alternate job search services in accordance with UC policy and collective bargaining agreements.

C. Departments are asked to refer employees with functional restrictions that impact the ability to perform the essential functions of his or her position directly to Disability Management Services at the earliest feasible date after the onset of any disability in order to facilitate a timely, good faith interactive process.

Responsibilities

Contact Office of Origin (see above) with any questions or contact:
Resources

- UCSF Disability Management Services [3]
- UCSF Student Disability Services/Office of Student Life [4]
- UCSF Committee on Disability Issues [5]
- Disability Resources [6]
- UCSF Office of Diversity and Outreach [7]

Related UC Policies

- University of California Personnel Policies for Staff Members (PPSM) [8], Office of the President (Policy-Covered Employees):
  - PPSM-2.210: Absence from Work [9]
  - PPSM-66: Medical Separation [10]

Related Policies

- 150-12 - Affirmative Action/Nondiscrimination in Employment [12]
- 150-28 - Americans with Disabilities Act (ADA) Barrier Removal [13]

References

- UCSF Campus Code of Conduct [14]
- Federal and State Laws and Regulations addressing employees and applicants with disabilities, including:
  - Americans with Disabilities Act [15]
  - ADA Amendments Act of 2008 (ADAAA) [15]
  - California Fair Employment and Housing Act (FEHA) [16]
  - Disabled Persons Act [17]
  - Unruh Civil Rights Act [18]
- Collective Bargaining Agreements [19] (Represented Employees):
  - Applicable Reasonable Accommodation and Medical Separation Articles

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Links:
[1] https://policies.ucsf.edu/policy/150
[2] mailto:SVCPOLICIES@ucsf.edu