

WORKING WITH A DISABILITY

Presented by the SMSU IFO Disability Advocacy Committee

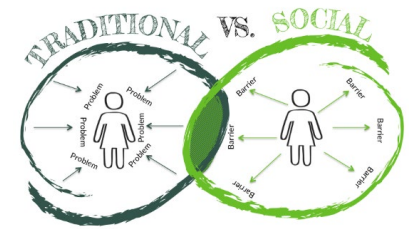
Your

Rights
Options
Responsibilities

Disability

Rehabilitation Act Legal Definition

An individual with a disability is a person who
Has a mental or physical impairment that substantially limits one or more major life activities
Has a record of such an impairment
Is regarded as having such an impairment



Applicable Laws

Rehabilitation Act of 1973

Americans with Disabilities Act (ADA) of 1990

Prohibits discrimination against individuals with a disability

EMPLOYEE RIGHTS: Employer must provide reasonable accommodation to job applicants, employees who have a disability, or employees who experience a disability after being hired

EMPLOYER RIGHTS: Does not have to provide an accommodation that would cause undue hardship for the employer (e.g., too costly, too disruptive); employer will evaluate accommodation requests on a case-by-case basis

Minnesota Human Rights Act of 2013

Identifies specific individuals covered under Minnesota's disability laws

REASONABLE ACCOMMODATION

United States Office of Personnel Management (OPM)

Reasonable accommodation is any change to a job, the work environment, or the way things are usually done that allows an individual with a disability to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace.

TYPES OF ACCOMMODATIONS

EEOC

- Job restructuring for non-essential job duties
- Modified or part-time schedule
- Modified workplace policies
- Reassignment
- Leave (e.g., paid, unpaid, FMLA)
- Physical changes (e.g., modified office layout or location, installation of ramps, door openers, handbars)
- Accessible/assistive technologies (e.g., screen readers, accessible software/web pages)
- Accessible communications (e.g., interpreters, TTY phones, closed captioning at meetings, large print materials, audio files, braille)

Requesting Accommodations: HOW TO ADVOCATE FOR YOURSELF

Submit	your request directly to Human Resources
State	you are requesting a reasonable accommodation under ADA
Identify	yourself as a person with a disability specific problematic job tasks accommodation ideas
Request	HR's accommodation ideas a reasonable timeframe for a response

Do not wait for someone to reach out with reasonable accommodations

Do not assume you will not receive an accommodation

Do not submit your request to your supervisor or department chair

Do not sign away your medical records

EEOC Reasonable Accommodation Guidelines to Note

Employee

- You, a family member, or other representative may request a reasonable accommodation
- The request must use plain English
- The request does not need to be in writing
- The request does not need to use the phrase “reasonable accommodation”

Employer

- The employer must continue the dialogue regarding the accommodation request
- The employer may ask for documentation*
- The employer is allowed to provide a reasonable accommodation that differs from what the individual seeks

*The employer cannot request documentation if

- 1) the disability is obvious
 - 2) The employee has already provided sufficient information to substantiate the need
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Wellness benefits through Minnesota Management and budget

- state employee group health insurance program

Wellness options for all employees

Fitness:

SMSU Exercise Science/Wellness and Human Performance Center offerings:

- 1) Small group training
- 2) Group fitness classes
- 3) One on one/one-two exercise training

SMSU Fitness Center

SMSU Pool

Mental health:

SMSU Counseling and Testing Center

- 1) Massage chair
- 2) Stress relief room
- 3) Therapy dog

Additional Resources

<https://www.advocations.org/working-definition-disability/>

<https://www.eeoc.gov/policy/docs/accommodation.html>

Individuals Covered under Minnesota’s Disability Law: <https://mn.gov/mdhr/yourrights/who-is-protected/disability/>

Job Accommodation Network: www.askjan.org

U.S. Equal Employment Opportunity Commission: <https://www.eeoc.gov/laws/types/disability.cfm>

IFO Disabilities Advocacy Committee: <https://www.ifo.org/disabilities-advocacy-committee/>

State Benefits <https://mn.gov/mmb/segip/>

<https://mn.gov/mmb/segip/health-solutions/>