



ADA Process Guide

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I. University Commitment to Supporting Individuals with Disabilities

The University of Florida (“university”) values its commitment to supporting all employees to achieve success in their jobs. The university also recognizes that reasonable accommodations can help ensure access to, and success in, the workplace for employees with disabilities.

Workplace accommodations are intended to foster access for employees with disabilities and qualifying conditions, mitigating the impact of disability-related limitations so that the employee can effectively perform the essential functions of their job and/or otherwise enjoy an equal employment opportunity. Accommodations come in many different forms and each request requires an individualized assessment that may result in a comprehensive individualized Accommodation Plan.

II. Process Guide Scope

This Process Guide (“Guide”) is intended to provide members of the campus community with helpful information regarding the process for university employees to request workplace accommodations.

While this Guide covers many aspects of the interactive accommodation process for employees and students, it is not comprehensive. Due to the evolving landscape of accessibility and disability rights laws, including the Americans with Disabilities Act, (1990) and the Americans with Disability Act, Amendments Act (2008), collectively referred to from here on as the “ADA,” the applicability of certain guidance detailed in this Guide may change over time. Accordingly, reasonable efforts will be made to update this Guide to ensure the university community has timely and accurate information at its disposal when considering requests for accommodations.

III. Accommodation Process - Employees

A. Interactive Process Overview - Employees

The interactive process, required under ADA, is one that engages the university and the employee in a discussion exploring the employee’s request for an accommodation(s).

This process involves the employee, their supervisor and unit HR liaison, information from the employee’s qualified professional provider, and the ADA/504 Coordinator. The

interactive process is ongoing and results in a formal determination by the university regarding workplace accommodation(s) that becomes the Accommodation Plan. Effective interactive processes support open dialogue and seek to proactively resolve employee accommodation concerns as they might arise.

The interactive process is a means to:

- Initiate discussion and evaluation of an employee's request for an accommodation,
- Foster timely and effective implementation of identified reasonable accommodations or equally effective alternatives,
- Implement and support human-centered case management strategies throughout the employee's tenure, and,
- Effectively evaluate and improve the university's workplace and its processes in support of equitable access to its programs and activities.

B. Overview of Roles and Responsibilities

1. Role of the ADA/504 Coordinator

The ADA/504 Coordinator is considered the subject matter expert for the university.

In this role, the ADA/504 Coordinator or their designee evaluates all received requests for accommodation from employees, provides guidance to the broader campus community regarding accessibility of its physical and web assets, consults with departments, and provides input to leadership that fosters inclusivity and campus culture. The ADA/504 Coordinator also provides training to the campus community.

As part of the interactive process, the ADA/504 Coordinator will ask questions, conduct research, and offer ideas for accommodations. The ADA/504 Coordinator is committed to working with employees and departments to identify and implement reasonable, effective accommodations.

The university's identified ADA/504 Coordinator is:

Megan Buxton, J.D. (Interim ADA/504 Coordinator)
720 S.W. 2nd Ave
Suite 106
Gainesville, FL 32601
Email: adaservices@ufl.edu
Phone: 352-294-8720
TTY: 1-800-955-8771
Fax: 352-392-5268

2. Role of the Supervisors and HR Liaisons

Supervisors and unit or departmental HR liaisons' role in the interactive process is vital to the implementation of reasonable accommodations or their equally effective alternatives. In this process, supervisors and HR liaisons provide valuable information regarding unit operations and job functions, which informs the overall ADA accommodation analysis.

3. Role of the Employee

The employee is the primary participant in the accommodation process as they initiate a request for accommodation. The expectation of the university is that employees seeking accommodations will enter the process as an active participant and will engage in activities that foster the development of a comprehensive Accommodation Plan. The employee has a right to withdraw their request or to reactivate a formerly withdrawn or closed request at any time during their employment with the university.

4. Role of the Qualified Professional/Treatment Provider

The qualified professional is a licensed professional (for example: a hospital, physician, physician's assistant, nurse practitioner or nurse, counselor, physical therapist, etc.) who has a history of treating the employee for the disability and/or condition and who can attest to its impact. The qualified professional's role is limited to providing documentation and/or information acceptable to the university in its accommodation decision making process.

C. Accommodation Process

The employee accommodation process has seven (7) steps, some of which may occur simultaneously. Certain information, however, such as supporting documentation, must be received before the university may make a determination and move forward toward implementing an Accommodation Plan.

Step 1: Disclosure and Referral or Direct Contact with ADA/504 Coordinator

At any time, an employee may disclose that an existing or newly acquired disability or condition is having an impact on their ability to perform the duties of their assigned position. Such disclosures come in many forms. No specific language or use of specific terms is required. Supervisors are encouraged to actively listen to the employee and to offer referral to the ADA Office and the accommodation process as a resource when there is any indication that the employee may be referencing a disability or condition in the absence of any other established process such as temporary restricted duty or modified duty under workers compensation. The employee is not required to disclose the exact nature of their disability or condition, provide medical documentation, or detail treatment

or care being received (for example: depression and counseling) to their supervisor in order to be referred.

An employee may contact the [ADA/504 Coordinator](#) directly. There is no requirement that the employee disclose to their supervisor or HR liaison in order to access the accommodation process.

The employee's disclosure is the first step in the accommodation process for the university. The university encourages that any disclosure by an employee be held confidential, whether or not the employee is referred to or chooses to move forward in the accommodation process.

The university supports the employee's decision to enter the process any time throughout their employment as needed.

An ADA Information Session is required to move forward in this process (see Step 2 below).

Step 2: ADA Information Session

The ADA Information Session is one in which the ADA/504 Coordinator or their designee may review ADA, relevant university policy, the accommodation process, and the employee's request with the employee. The ADA Coordinator may request specific verbal information during this session about the employee's workplace, essential functions, and disability and/or condition in order to provide guidance to the employee and/or begin an assessment. The employee continues to have the right to either move forward in the process or to decline to move forward. The employee may also choose to be accompanied by a support person, such as their partner, spouse, or a trusted colleague.

[Schedule an Employee Information Session](#)

In addition, the supervisor may request an Informational Consultation with the ADA/504 Coordinator to review the process, make a referral, schedule training for their unit, or otherwise discuss a concern.

[Schedule a Supervisor ADA Informational Consultation](#)

Step 3: Submit Formal Request

In order for the process to move forward, the university requires the employee to formalize their request. The employee should use the [Employee Accommodation Request Form](#), which will be received directly by the ADA/504 Coordinator. The employee will receive an email that acknowledges the receipt of the request, and if they have not completed an ADA Information Session, several dates/times will be offered.

Receipt of the formal request AND completion of the ADA Information Session will then lead to a notification to the employee's supervisor and unit HR liaison that the employee has entered the accommodation process.

The supervisor and HR liaison will be asked to provide the employee's position description or a summary of essential duties for consideration in the accommodation analysis.

Step 4: Submit Employee ADA Medical Certification Form

Employees wishing to move forward in the accommodation process will be requested to have their current qualified professional complete and sign the [Employee ADA Medical Certification Form](#). This form is specific to the context of the workplace and is used by the university in its determination of reasonable accommodations or their equally effective alternatives.

The ADA/504 Coordinator may review the information on the form with the employee as a part of facilitating movement forward in the accommodation process. The university makes the final determination of what is or is not a reasonable accommodation given all information and input received.

In some instances, the university may request additional information in order to make its determination. In such cases, the ADA/504 Coordinator will either request the employee sign an [Authorization to Release Medical Information Form](#) so that the ADA/504 Coordinator at the university can contact the qualified professional or may provide the employee with a list of information needed so that the employee may consult with the qualified professional directly.

[Submit Employee ADA Medical Certification Form](#)

Step 5: Discussion and Review of DRAFT Accommodation Plan

During the interactive accommodation process, discussions may occur that support an employee's timely movement towards obtaining accommodations. The interactive process is one that is meant to be transparent, fostering input from the employee and their supervisor and/or HR liaison. When DRAFT accommodations have been developed, a DRAFT 1.0 Accommodation Plan, enumerated for documentation reasons, is sent to the employee, their supervisor and/or HR liaison at that same time. Input or approval of the plan is requested within five (5) business days.

When input is received that substantially amends the DRAFT 1.0, a second DRAFT 2.0 Accommodation Plan is created and sent to all for input and approval. This process continues until all approve of the DRAFT version.

The expectation of the university is that the employee and their supervisor and/or HR liaison will continue to engage in the process and reply to requests for input or approval in a prompt manner fostering timely completion of this step.

Step 6: Finalize FINAL Accommodation Plan

Once the employee and supervisor and/or HR liaison have agreed to the DRAFT version of the Accommodation Plan, a FINAL Accommodation Plan is created. The FINAL Accommodation Plan is sent to the employee and supervisor and/or HR liaison for signature. This becomes the official record of the approved accommodations or equally effective alternatives.

Step 7: Case Management

The interactive process does not conclude with a FINAL Accommodation Plan. Ongoing case management continues to:

- Support open communication and to allow evaluation of the applied accommodations,
- Foster timely updates or revisions when an employee's disability or condition changes,
- Effectively change status should an employee withdraw their request or seek extended leave as a result of their disability or condition,
- Provide consultation should the employee change positions, and/or,
- Document closure of an employee's request should their status at the university change.

D. Types of Accommodations (and Limitations):

While the university assesses each request on an individual basis (and not every accommodation is reasonable in every circumstance), there are many different types of accommodations, including but not limited to:

- Ergonomic furniture or other equipment
- Modifications to the work environment (lighting, acoustics, etc.)
- Assistive software/technology
- Modifications to how work is performed, procedures, or policies
- Reassignment of marginal job functions
- Travel-related needs
- Parking and transportation

- ADA Leave of absence
- ADA Reassignment (if the case dictates)

Certain accommodations are generally outside the scope of what is reasonable and therefore, cannot be accommodated by the university. Those include, but are not limited to:

- An indefinite leave of absence
- Excusing performance of essential job functions (also known as “light duty”)
- Purchase of personal care devices (wheelchairs, hearing aids, etc.)
- Funding of personal care attendants
- A permanent reduction in FTE
- Reassignment to a new supervisor.

E. Interim Accommodations

In some circumstances the ADA/504 Coordinator may encourage the supervisor or department to provide one or more of the requested accommodations on an “interim” basis while the employee engages in the interactive accommodation process. An interim basis is one that is situation specific and time limited. The use of an interim accommodation will be assessed on a case-by-case basis and may include consideration of factors such as the operational impact of the requested accommodation and/or the likelihood that the disclosed medical condition qualifies as a disability.

As with all accommodations, if concerns about the operational impact of an interim accommodation arises after it has been agreed to, then the ADA/504 Coordinator may review/reconsider whether continuing to provide the interim accommodation is reasonable. If the ADA/504 Coordinator determines that the interim accommodation is not reasonable, then the parties are expected to re-engage in the accommodation process to determine what options may be available to the employee.

F. Privacy of Medical Information

Any medical information an employee chooses to disclose to their supervisor, HR liaison, or the ADA/504 Coordinator is confidential. This information will not be shared with other university employees except on a need-to-know basis as determined by the ADA/504 Coordinator, or designee, or with express written permission from the employee to release information.

Similarly, any information the ADA/504 Coordinator receives from an employee’s qualified professional regarding a medical diagnosis (whether included in an ADA Medical Certification Form or supplemental information) is confidential and will not be shared with

the employee's colleagues, supervisor, or others, except on a need-to-know basis as determined by the ADA/504 Coordinator or provided the employee agrees to such a disclosure in writing.

At no time will the university release medical documents from an employee's record to an outside third party.

The ADA/504 Coordinator, or designee, may share limited information about the functional impact of an employee's disability or condition on their ability to perform the functions of their position. In order to identify possible accommodations or assess whether the employee is qualified to effectively perform the functions of their position with or without reasonable accommodations. Such limited information may need to be shared as part of the interactive process to determine accommodations. For example: the ADA/504 Coordinator may inform an employee's supervisor that the disability or condition permanently restricts the employee from lifting more than 10 pounds.

Although some information shared with the ADA/504 Coordinator is private, certain information shared may be required to be reported to the university, as the ADA/504 Coordinator is a mandatory reporter. As such, the ADA/504 Coordinator may be required to report information shared with appropriate persons. An example of such reporting may be if the employee has made a direct threat or if there is a legitimate concern for the safety of the campus community. This also applies in medical emergencies involving an employee who is incapacitated and unable to provide relevant and timely information necessary for emergency medical personnel to render assistance. For more information about these reporting obligations, please refer to the university's policies and regulations.

Employees may also contact the university's Ombuds Program at ombuds@ufl.edu if they are seeking to speak with a neutral party who might be able to help facilitate any discussions. However, it is important to note that while the Ombuds is a resource and designated neutral party, the Ombuds does not have privileged confidentiality and has reporting obligations as a mandated reporter.

Employees who wish to consult with a confidential resource who does not have reporting obligations should contact the [Employee Assistance Program](#) at (352) 273-1765, the [Counseling and Wellness Center](#) at (352) 392-1575 or another professional counselor or a pastoral counselor.

G. Maintaining Accommodation Records

The ADA/504 Coordinator and the ADA Case Manager are responsible for maintaining the university's records related to requests for disability-related accommodations.

These records include:

- accommodation request forms submitted to the university,
- medical documentation and supporting documentation received by the university,
- relevant communications received or sent by the ADA/504 Coordinator or the ADA office or university,
- the FINAL Accommodation Plan(s) signed and in effect as well as all previous copies of any Draft(s) or enacted FINAL Accommodation Plan, and,
- case notes or activity logs related to the employee's request and ongoing university case management efforts with the employee.

An individual requesting a copy of the aforementioned records must initiate such request through the university's public records requests protocol. Documents related to an employee's request for accommodation are retained in accordance with the applicable provisions of the university's document retention schedule, the ADA, and any other applicable state or federal law.

H. Grievance Procedure for Employee Accommodation:

1. Overview of Procedures to Address Disability-Related Complaints

In accordance with the university's Accessibility and Reasonable Accommodation for Individuals with Disabilities Policy ("ADA Policy"), the university has adopted the following procedure to address grievances or concerns specific to accommodation decisions.

Employees should recognize that there are two (2) procedures to address disability-related complaints, depending on the nature of the complaint. Two (2) distinct policies guide the processes noted below:

1. **ACCOMMODATION:** The university's ADA Policy provides that the university shall have an interactive process for employee accommodations. This includes establishing a grievance procedure to address employee concerns regarding accommodation determinations. Through this grievance process, an employee may seek a review of decisions related to a denial of a requested accommodation, failure to provide an approved accommodation, or access-related concerns at the university.
2. **DISCRIMINATION:** The university's Regulation on Non-Discrimination/Harassment/Invasion of Privacy addresses employee complaints alleging harassment or other forms of discrimination based on disability (unrelated to access or accommodation) and all types of employee and third-party disability discrimination complaints. These complaints should be filed directly with the Office

of Employee Relations and not through the ADA Accommodation Grievance Procedure or to the ADA/504 Coordinator.

2. Employee Accommodation Decision Grievance Procedure

The most efficient way for an employee to resolve a potential concern related to accommodation, the implementation of an accommodation, or accessibility is to communicate concerns directly to the university's [ADA/504 Coordinator](#).

Most concerns about accommodation and accessibility can be resolved through facilitated discussion within the interactive process at this level. If the concern is resolved to the employee's satisfaction, no formal appeal is necessary.

If informal solutions do not resolve the employee's concerns related to accommodation(s), an employee may appeal in writing, within 5 business days, submitting the [Employee Accommodation Appeal Form](#) to the university's Chief Compliance Officer. This appeal should clearly state the reason for the appeal and the remedy sought by the employee.

The university's Chief Compliance Officer will review necessary information and may interview individuals to obtain information relevant to the appeal. The Chief Compliance Officer will, within twenty (20) business days of receipt of the appeal, render a written determination that may uphold the original decision, amend it, or overturn it. The Chief Compliance Officer's determination will be considered the final decision of the university.

[Employee Accommodation Appeal Form](#)

3. Disability Discrimination Complaints Filed by Employees

The Office of Employee Relations receives and reviews reports of discrimination based on disability submitted by employees.

Employee Relations receives reports by emailing employeerelations@hr.ufl.edu. While emailing a report is the most efficient way to communicate relevant information, Employee Relations will also receive complaints by phone at (352-392-1072) or in-person by scheduled appointment. The Office of Employee Relations follows the complaint resolution procedures and time frames consistent with the university's anti-discrimination regulation.

I. Grievance Procedure for Student Accommodation & Disability Discrimination Complaints

1. Overview of Procedures to Address Disability-Related Complaints

In accordance with the university's ADA Policy, the university has adopted the following procedure to address grievances or concerns specific to accommodation decisions for students.

Students should recognize that there are two (2) procedures to address disability-related complaints, depending on the nature of the complaint. Two (2) distinct policies guide the processes noted below:

1. **ACCOMMODATION:** The university's ADA Policy provides that the university shall have an interactive process for student accommodations. This includes establishing a grievance procedure to address student concerns regarding accommodation determinations. Through this grievance process, a student may seek a review of decisions related to a denial of a requested accommodation.
2. **DISCRIMINATION:** The university's Regulation on Non-Discrimination/Harassment/Invasion of Privacy addresses student complaints alleging harassment or other forms of discrimination based on disability (unrelated to access or accommodation) and all types of employee and third-party disability discrimination complaints. These complaints should be filed directly with the Office of Employee Relations and not through the Student Accommodation Grievance Procedure to the ADA/504 Coordinator or the Disability Resource Center ("DRC").

2. Student Accommodation Decision Grievance Procedure

The DRC approves accommodations for students based on an interactive on-going process with students to meet their individual needs.

In accordance with the university's ADA Policy, the university has adopted a grievance procedure to address student accommodation appeals. Below is the detailed information and procedures associated with the accommodation appeal process for students:

Step 1: Student to meet with their assigned Accessibility Specialist within the DRC to review a specific accommodation request.

Step 2: If the Accessibility Specialist determines the accommodation request is not reasonable and the student does not agree, the student may appeal in writing and meet with the Assistant Director for Access within 15 business days.

Step 3: If the Assistant Director for Access determines the accommodation request is not reasonable and the student does not agree, the student may appeal in writing and meet with the Associate Director within 10 business days.

Step 4: If the Associate Director determines the accommodation request is not reasonable and the student does not agree, the student may appeal in writing and meet with the Director within 10 business days.

Step 5: If a student does not agree with the determination made by the Director of the Disability Resource Center, the student may appeal in writing by submitting an official UF ADA Grievance to the ADA/504 Coordinator by completing the [Student Accommodation Appeal Form](#) within 10 business days. The ADA/504 Coordinator's determination is the final determination for the university regarding the student's concern.

As part of Step 5, the ADA/504 Coordinator may review any information necessary specific to the student's concern. Additionally, it is the purview of the ADA/504 Coordinator to determine whether a meeting with the student, DRC, or any other individual or office is needed to either resolve or render a determination regarding the student's accommodation grievance.

[Student Accommodation Appeal Form](#)

3. Disability Discrimination Complaints Filed by Students

The Office of Employee Relations receives and reviews reports of discrimination based on disability submitted by students.

Employee Relations receives reports by emailing employeerelations@hr.ufl.edu. While emailing a report is the most efficient way to communicate relevant information, Employee Relations will also receive complaints by phone at (352-392-1072) or in-person by scheduled appointment. The Office of Employee Relations follows the complaint resolution procedures and time frames consistent with the university's anti-discrimination regulation.

IV. Reporting Campus Accessibility Concerns

The university is committed to equal access for disabilities and encourages students, staff, faculty, and visitors to report any barrier that prevents access to the university's facilities, activities, programs, or electronic information. Barriers may include a broken elevator or wheelchair lift, an inaccessible website, or a blocked access ramp, for example.

The ADA/504 Coordinator receives accessibility concerns and will act accordingly to address concerns that fall within the purview of the university. Information may be sought from the individual reporting the concern to fully understand the nature of the barrier.

[Report a campus accessibility concern](#)

It is important to note that submitting a campus accessibility concern form is not a request for a reasonable accommodation or a formal complaint or grievance.

If you need assistance reporting your concern, please contact the [ADA Office](#) via Phone: 352-294-8720 or TTY: 1-800-955-8771.

The ADA/504 Coordinator, or designee, will review the submitted concern. The individual completing the form may receive an email that acknowledges receipt of the concern or requests additional information to clarify the original concern. The ADA/504 Coordinator, or designee, may contact the individual again once the concern is resolved or with an update regarding the resolution of the concern.

V. Additional Resources

A. University of Florida Human Resources

Address: 903 West University Avenue, Gainesville, FL 32601

Website: hr.ufl.edu

Phone Number: (352)293-2477

Email: humanresources@ad.ufl.edu

B. University of Florida Environmental Health & Safety

Address: Building 179, 916 Newell Drive, Gainesville, FL 32611

Phone: 352.392.1591

Website: <https://www.ehs.ufl.edu/departments/occupational-safety-risk/ergonomics/>

C. University of Florida Employee Relations

Address: 903 W. University Avenue, P.O. Box 115000

Website: <https://hr.ufl.edu/working-at-uf/employee-relations/>

Phone Number: (352) 392-1072

Email: employeeerelations@hr.ufl.edu

D. University of Florida Office of Ombuds

Address: 31 Tigert Hall, P.O. Box 113155 Gainesville 32611-3155

Website: <https://ombuds.ufl.edu>

Email: ombuds@ufl.edu

Phone Number: 352-392-1308

E. University of Florida Employee Assistance Program

Website: <https://eap.ufl.edu>

Phone Number: (352) 273-1765

Email: eap-help@ufl.edu

F. Florida Commission on Human Relations

Address: 4075 Esplanade Way Unit 110, Tallahassee, FL 32399850-488-7082

Website: <https://fchr.myflorida.com/employment>

Phone Number: (971) 673-0761

Email: fchrinfo@fchr.myflorida.com

G. Equal Employment Opportunity Commission (EEOC)

Website: <https://www.eeoc.gov/>

Phone Number: 1-800-669-4000

Email: info@eeoc.gov