

Is A Reasonable Accommodation The Best Option For You?

Have you ever wondered what you would do if you encountered difficulties at work following an injury, hospitalization, or surgery? How would you manage a decline in an existing condition or handle a recently diagnosed illness that required a change in your job duties, work environment, or otherwise impacted your ability to work?

A reasonable accommodation under The Americans with Disabilities Act, should be considered in any situation where an underlying medical condition is affecting a faculty member's ability complete job-related tasks. These impacts could range from minor and on a temporary basis, to significant and permanent.

The CFA DISABILITY CAUCUS has designed this webpage to provide information and helpful tips in the areas of disability laws and policies, the reasonable accommodation process, and the enforcement of your disability rights at work.

THIS IS A LIST OF THE FEDERAL AND STATE LEGAL AUTHORITIES PERTAINING TO FACULTY DISABILITY RIGHTS:

- California Fair Employment and Housing Act (FEHA)
- Government Code Section 12920 *et seq.*
- The Americans with Disabilities Act of 1990, as amended, (ADA) 42 U.S.C. 12101 *et seq.*
- The Rehabilitation Act of 1973, Sections 504 and 508, 29 U.S.C. Section 701 *et seq.*

THIS CSU POLICY CONTAINS IMPORANT FACULTY DISABILITY RIGHTS INFORMATION:

- CSU Disability Support and Accommodations Policy EO 1111

[Viewing Disability Support and Accommodations Policy](#)

THESE ARE THE STEPS IN MAKING REQUESTS FOR REASONABLE ACCOMODATIONS

1. Obtain a return to work order/ with restrictions from your physician. This order should contain information regarding your physical limitations and/or environmental restrictions. To protect your privacy rights, it should not contain your medical diagnosis.
2. Complete and submit your request for reasonable accommodations. This campus specific form should be available online. In addition to requesting information regarding your work restrictions and physical limitations, the form may ask for the exact accommodation that you are requesting.

3. Ask your physician to complete the “Medical Inquiry in Response to a Request for Reasonable Accommodations Form”.
4. The Interactive Process Meeting will be held to discuss the medical restrictions and potential accommodations. The CSU may grant or deny requested accommodation. The CSU is not required to create a new position, reassign employees, or bear an undue hardship in order to provide an accommodation. Keep in mind that the CSU Disability Support and Accommodations Policy requires: “Each campus and the Chancellor’s Office must exhaust all viable options considered through the interactive process before a request for a reasonable accommodation is denied”.

IF YOU HAVE ISSUES RELATED TO YOUR APPLICATION FOR A REASONABLE ACCOMODATION AND ARE INTERESTED IN PERSUING YOUR ENFORCEMENT RIGHTS CONTACT YOUR FACULTY RIGHTS CHAIR REGARDING THE OPTIONS LISTED BELOW:

CFA Collective Bargaining Agreement (Contract) 2022-2025 Article 16.1

<https://www.calfac.org/contract-2022-2025/#article-16>

CSU Interim CSU Nondiscrimination Policy EO 1095

<https://www.calstate.edu/csu-system/administration/systemwide-human-resources/civil-rights/titleix/Documents/Superseded-Policy-Nondiscrimination-Dated-08-01-2024.pdf>

California Department of Civil Rights

[Complaint Process | CRD](#)

WE RECOGNIZE HOW DIFFICULT IT IS TO ASSERT AND FIGHT FOR YOUR DISABILITY RIGHTS. WE ARE HERE TO HELP.

“Disability is both apparent and nonapparent. Disability is pain, struggle, brilliance, abundance, and joy. Disability is sociopolitical, cultural, and biological. Being visible and claiming a disabled identity brings risks as much as it brings pride.”

— **Alice Wong**

For additional information please contact your [chapter faculty rights representative](#).