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PROCEDURE SUMMARY

In accordance with Title I, Employment, of the Americans with Disabilities Act of 1990 (ADA), as amended, The Texas A&M University System (A&M System) Regulation 08.01.01, *Civil Rights Compliance*, and A&M System Regulation 08.01.02, *Civil Rights Protections for Individuals with Disabilities and Certain Other Employees*, Texas A&M AgriLife Research (AgriLife Research) will provide equal opportunity to all qualified individuals with a disability (IWD) and certain other employees, in accordance with applicable state and federal laws, A&M System policies and regulations, and this procedure, in job application procedures, hiring, advancement or discharge practices, compensation, job training, or other terms, conditions, and privileges of employment.

This procedure establishes guidelines and processes for employees and applicants for employment, to request hiring process or reasonable workplace accommodations in accordance with A&M System Regulation 08.01.01 and A&M System Regulation 08.01.02, and with applicable state and federal laws and regulations.

PROCEDURES AND RESPONSIBILITIES

1.0 GENERAL

- 1.1 Employees may request a disability-related job accommodation from their supervisor or directly from Texas A&M AgriLife (AgriLife) Human Resources, either verbally or in writing using the [AG-435, Reasonable Workplace Accommodation Request Form](#). Employees may be asked by AgriLife Human Resources to provide documentation from an appropriate healthcare professional to determine the need for and reasonableness of the requested accommodation if the disability is not obvious. Reasonable accommodations may not be approved if the requested information is not provided.
- 1.2 Employees are responsible for notifying their supervisor or AgriLife Human Resources of a need for a disability-related accommodation, any changes in their medical condition that may affect their ability to perform the essential functions of their job, and any changes in the effectiveness of disability-related accommodations that have been provided.
- 1.3 Applicants with a disability who need assistance in applying for a job may request a disability-related hiring process accommodation from the hiring manager or AgriLife Human Resources, either verbally or in writing using the AG-435 form.
- 1.4 If a disability is apparent or obvious, or if the applicant has voluntarily disclosed a disability that may affect their ability to perform the essential functions of the job, that applicant may be asked at the interview or pre-offer stage to describe, demonstrate, or to respond to a question regarding how he or she would perform a certain required job task. At that time, the applicant may be asked questions as to what accommodations would be necessary to complete the task.
- 1.5 AgriLife Research will also provide reasonable workplace accommodations for employees with sincerely held religious beliefs in accordance with the Texas Labor Code, and/or for employees who qualify under the Pregnancy Discrimination Act of 1978 and Section 7(r) of the Fair Labor Standards Act, if the requested accommodation does not constitute an undue hardship. The same process as outlined for ADA accommodation requests must be used.

2.0 RESPONSIBILITIES OF SUPERVISORS AND HIRING MANAGERS

- 2.1 Supervisors and hiring managers are responsible for providing and explaining the AG-435 form as requested by employees or applicants and forwarding the completed form to AgriLife Human Resources for review. Supervisors and hiring managers should notify AgriLife Human Resources of any verbal or written requests for disability-related accommodations from an employee or job applicant.
- 2.2 If the employee or applicant voluntarily provides information regarding a disability, the supervisor or hiring manager may only ask questions regarding the employee or applicant's need for disability-related accommodations.
- 2.3 The supervisor or hiring manager may not deny a request for an accommodation without review and approval from AgriLife Human Resources.
- 2.4 Supervisors and hiring managers are encouraged to complete TrainTraq course #2111125, *ADA for Supervisors and Faculty*, every two years.

3.0 AGRILIFE HUMAN RESOURCES RESPONSIBILITIES

- 3.1 AgriLife Human Resources is responsible for coordinating and reviewing requests for disability-related accommodations from employees and applicants for employment. AgriLife Human Resources will communicate with supervisors, hiring managers, employees, and applicants regarding the accommodation request process and the interactive process for determining the reasonableness of the requested accommodations.
- 3.2 AgriLife Human Resources will provide and explain the AG-435 form to supervisors, hiring managers, employees, and applicants as appropriate.
- 3.3 AgriLife Human Resources will determine if medical documentation is needed to evaluate a request for a disability-related accommodation. Required documentation may include a diagnosis, prognosis and major life function that is substantially limited, an evaluation of the effect that the disability has on the employee's or prospective employee's ability to perform the duties associated with the position, and the recommended accommodation(s). AgriLife Human Resources will communicate directly with employee and supervisor or applicant and hiring manager if medical documentation is needed.
- 3.3 AgriLife Human Resources will review requests and medical documentation and determine if the individual has a disability as defined by the ADA; whether the disability-related accommodation requested is reasonable; whether the disability-related accommodation will enable the individual to complete the application process or meet the essential functions of the job; and whether there are other reasonable accommodations that are equally effective. AgriLife Human Resources will notify the employee or applicant in writing of the determination to approve or not approve a requested accommodation.
- 3.4 If an accommodation request is approved, AgriLife Human Resources will work with the supervisor/hiring manager to document the accommodation and the date and duration of its provision. Such documentation must be kept in a confidential file separate from the employee's personnel file.
- 3.5 If a disability-related job accommodation is approved, AgriLife Human Resources and the supervisor/hiring manager may periodically review it in order to determine its effectiveness and continued need.
- 3.6 AgriLife Human Resources will consult with the A&M System Director of Equal Opportunity and the Office of General Counsel as needed regarding compliance with the ADA.

4.0 RIGHT TO APPEAL AND CONFIDENTIALITY

- 4.1 An employee has the right to appeal an accommodation decision in accordance with A&M System Regulation 08.01.01 and any applicable AgriLife rule or procedure.
- 4.2 AgriLife will maintain the confidentiality of all medical information. Records will be maintained separately from personnel and recruiting files and will be accessible only by authorized personnel.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

[A&M System Policy 08.01, *Civil Rights Protection and Compliance*](#)

[A&M System Regulation 08.01.01, *Civil Rights Compliance*](#)

[A&M System Regulation 08.01.02, *Civil Rights Protections for Individuals with Disabilities and Certain Other Employees*](#)

CONTACT OFFICE

Questions concerning this procedure should be referred to AgriLife Human Resources at 979-845-2423.

REVISION HISTORY

Approved: August 26, 2016
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Next Scheduled Review: September 23, 2026