

Northern Kentucky University

Office of Human Resources – Employee Relations

The American's with Disabilities Act (ADA) FAQs for Supervisors

Question: What are the rights and responsibilities of an employee with a disability?

Answer: Employees with disabilities have the right to equal access to employment opportunities, programs, activities, services, and facilities offered at Northern Kentucky University. Employees are also entitled to reasonable accommodations. All information about the employee's disability is to be kept confidential. Employees have the responsibility to provide acceptable documentation of disabilities and to register with the ADA Coordinator if they would like to receive accommodations. If employees deem it necessary to receive accommodations for a particular function of their job, employees have the responsibility to inform the ADA Coordinator, to deliver the accommodations forms that verify their approved accommodation, and to participate in the discussions about how their needs can be met.

Question: What are the rights and responsibilities of a supervisor when working with employees with disabilities?

Answer: Supervisors have the right to confirm an employee's request for accommodations and to ask for clarification about a specific accommodation with the ADA Coordinator. Supervisors do not have the right to refuse to provide an accommodation or to review an employee's documentation including diagnostic data. Supervisors have a responsibility to work with the ADA Coordinator in providing reasonable accommodations, keep all records and communications with employees confidential, and to refer an employee to the ADA Coordinator who requests accommodations but is not currently registered. Supervisors do not have to provide accommodations for employees not registered with the Office of Human Resources Employee Relations department ADA Coordinator.

Question: Why does a supervisor have the responsibility to make reasonable accommodations for employees with disabilities?

Answer: A supervisor has the responsibility to make reasonable accommodations because accommodations make it possible to level the playing field for an employee with a disability. The supervisor also has a legal responsibility to provide appropriate accommodations. For more information go the Americans with Disabilities Act website: <http://www.ada.gov>.

Question: If a supervisor feels that a particular employee may have a substantially limiting disability, preventing them from accomplishing the essential functions of their job, where should they refer the employee?

Answer: If the supervisor feels that a particular employee may have a substantially limiting disability, they should refer the employee to the Office of Human Resources at (859) 572-5200.

Question: What if an employee with a disability is disruptive in the workplace?

Answer: An employee with a disability who is disruptive in the workplace should be treated as a supervisor would treat any other employee who is disruptive in the workplace. If necessary, the

supervisor should contact the Director of Employee Relations and EEO to determine an appropriate intervention. If the supervisor feels that there is a disability-related reason for the employee's behavior, the supervisor can discuss this with the ADA Coordinator to determine if there is a solution to the problem or strategies for addressing the behavior.

Question: What if an employee is not satisfactorily completing the tasks or behaviors associated with their job?

Answer: *It is important for supervisors to remember that providing reasonable accommodations to an employee with a disability does not guarantee success in completing the tasks associated with their role. In addition, it does not guarantee that the employee will meet the requirements of the position and employees with disabilities have the same right to receive corrective action and to apply feedback to improve their work performance. The corrective action should be applied as it would for any other employee.*

Please don't hesitate to contact our office if we can be of assistance.

Office of Human Resources
AC 708 Lucas Administration Ctr.
(859) 572-5200