Southeastern Oklahoma State University (SE) is committed to providing equal employment opportunities for individuals with disabilities. Human Resources is the designated office that makes initial determinations on reasonable accommodations for faculty, staff and qualified applicants with disabilities at SE. These determinations are made in accordance with Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act Amendments Act (ADAAA).

Key Definitions

The federal definition of "disability" includes a person who:

1. has a physical or mental impairment that substantially limits one or more major life activities;
2. has a record of such an impairment; or
3. is regarded as having such impairment.

"Qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job in question.

"Essential Job Functions" are those fundamental job duties that the person must be capable of performing with reasonable accommodations, if needed. The following are some of the reasons a function may be considered essential:

- The position exists so that the function can be performed; or,
- There are a limited number of other employees available to perform the function or among whom the function can be distributed; or,
- The function is highly specialized, and the person in the position is hired for his or her special expertise and ability to perform it; or,
- The function occupies a large percentage of time; or
- Failure to perform the job function may have serious consequences.

"Reasonable Accommodations" are modifications or adjustments to the job, the work environment, or to the way things are usually done that enable qualified individuals with disabilities to enjoy an equal employment opportunity.

These may include:

- Making existing facilities accessible
- Restructuring the job
- Modifying the work schedule
- Modifying equipment or devices
- Installing new equipment or devices
- Providing qualified readers and interpreters
- Appropriate modification of the application and examination procedures and training materials.
These do not include:

- Eliminating a primary job responsibility
- Lowering productivity standards that are applied to all employees
- Providing personal use items such as prosthetic limbs, wheelchairs, eyeglasses, or hearing aids
- Allowing anything that would be considered to be an undue hardship to the employer
- Excusing a violation of a uniformly applied conduct rule that is job-related and consistent with business necessity

"Undue Hardship" means an action requiring significant difficulty or expense. Factors to be considered in determining whether an accommodation would cause an undue hardship include:

- The nature and cost of the accommodation
- The overall financial resources of the employer and the organization
- The type of organization operation, including the composition, functions and structure of the workforce
- The impact that the accommodation would have on the facility making it and on the organization as a whole

Major Employment Provisions of the ADAAA

- Requires equal opportunity in selection, testing, and hiring of qualified applicants with disabilities
- Prohibits discrimination against employees with disabilities
- Requires equal treatment in promotion and benefits
- Requires reasonable accommodation for applicants and employees when such accommodations would not impose undue hardship.
- Employers may not make pre-employment inquiries about an applicant's disability or conduct pre-employment medical examinations. Under some circumstances Southeastern may make a conditional offer of employment conditioned on the results of a medical exam.
- Employers may ask if applicants can perform the essential functions of the job with or without accommodations