

Roger Williams University

Policy Regarding COVID-19 Workplace Accommodation for High-Risk Individuals (Temporary Policy)

Roger Williams University and Roger Williams University School of Law (collectively “the University”) acknowledge the heightened risks that COVID-19 presents to faculty and staff who suffer from certain preexisting health conditions and/or who are members of populations that render them otherwise medically vulnerable. According to the Centers for Disease Control (CDC), those at high-risk for severe illness from COVID-19 include: people 65 years of age and older, as well people of all ages who are either immunocompromised or who suffer from other underlying medical conditions (such as moderate to severe asthma, chronic lung disease, serious heart conditions, obesity, chronic kidney disease requiring dialysis, and liver disease), particularly if those conditions not well controlled. As part of its institutional response to COVID-19, the University is committed to returning its workforce to campus in a careful and phased way, as well as to reasonably supporting employees who are either themselves at high risk of severe illness from COVID-19 or who share a household with someone who is.

Any University employee who is at high risk of severe illness from COVID-19 (or who shares a household with someone at high risk) may initiate a request for a job-related accommodation due to the potential threat of exposure to COVID-19 in the workplace. Such requests may be initiated through the employee’s immediate supervisor or by contacting the Department of Human Resources. Upon receipt of either a supervisor referral or an employee-initiated request, the Department of Human Resources will determine what additional information may be necessary to consider the request, such as validating information from the employee’s healthcare provider and/or information from the employee’s supervisor about essential job functions. Human Resources will then facilitate an interactive discussion so that the University may evaluate the request and determine, on a case-by-case basis, whether and what type of accommodation is warranted. Such determinations will involve individualized assessment of a given employee’s circumstances and will consider the reasonableness of possible accommodations in light of operational and academic needs. The decision to grant an accommodation does not necessarily imply an acknowledgment that the employee is disabled within the meaning of applicable law.

COVID-19 ACCOMMODATION POLICY – FAQs

Are accommodations granted under this Policy considered permanent?

The University has implemented this policy as a result of the extraordinary circumstances presented by the COVID-19 pandemic. Accommodations granted pursuant to this temporary Policy are based on present circumstances and are subject to change based on developments in public health directives and guidance, operational conditions, and the state of the pandemic.

How will the confidentiality of medical information gathered by Human Resources in order to evaluate my request be safeguarded?

To evaluate requests for accommodation, Human Resources will require medical documentation related to the employee's health condition or of the person with whom the employee shares a household if the request is being made due to their health condition. As with all employee medical information, such information will be maintained in a confidential medical file that is kept *separate* from the employee's personnel file. It will be disclosed *only* in limited situations and only to the extent specifically requested and authorized by the employee or by applicable law.

I have requested an accommodation under this policy because I live with someone who is at a greater risk of complications if they contract COVID-19 due to an underlying medical condition or other vulnerability. Is this something that is required by law?

No. Accommodations are only required for an employee's own disability – not for disabilities of other individuals that the employee lives or interacts with. However, the University, as a matter of policy, has decided to consider such requests and fashion accommodations where possible and appropriate.

My childcare or elder-care arrangements have been disrupted by the COVID-19 pandemic. May I seek a remote work or other alternative work arrangement accommodation pursuant to this Policy in order to care for my child or elderly parent?

This Policy is intended to address matters involving employees' need for accommodations due to health conditions that render them (or a household member) at heightened risk due to COVID-19, not work accommodations related to child or elder-care. However, the University encourages managers to, wherever practicable, honor an employee's request for flexibility to meet unexpected family needs brought about by the pandemic conditions, and that they be reminded of the institutional expectation that they work with employees, to the extent operational conditions and workloads will reasonably permit, so that unexpected needs can be addressed by using breaks, lunch periods, flexible work schedules, adjusted hours, vacation leave or other alternative work arrangements. Additionally, the Department of Human Resources stands ready to assist employees who wish to explore availability of leaves of absence for such purposes.

What kinds of accommodations are possible?

Accommodations will vary from employee to employee, and from job position to job position. Requests will be considered on a case-specific individualized basis through an interactive process with the employee and the relevant manager(s). Accommodations may include the possibility of remote work arrangements, or furnishing additional or enhanced protective gowns, masks, gloves, or other protective equipment. Accommodations also may include additional or enhanced protective measures, temporary modification of work schedules (if that decreases contact with coworkers and/or the public when on duty or commuting), or moving the location of where one performs work.

Under what standards will my request be evaluated?

Ultimately, each request will be considered on an individualized basis, taking into account the nature of the employee's job and the effectiveness and reasonableness of accommodations requested. Requests for accommodations that require elimination of an essential job function or that present an undue hardship for the University cannot be granted.

How do I apply for an accommodation?

Any University employee who is at high risk of severe illness from COVID-19 (or who shares a household with someone at high risk) must submit a written request for a job-related accommodation to the employee's immediate supervisor or to the Department of Human Resources. The Department of Human Resources will determine what additional information may be necessary to consider the request.