

Staff Senate
<http://www.staffsenate.vt.edu/>
April 15, 2021
12:00 – 1:00 p.m.
Zoom
MINUTES

Attendees: Amanda Villar, Amber Robinson, Amy Ingram, Andrea Kennedy, Angel Carter, April Myers, Banks Blair, Brittany May, Bruce Harper, Chris Akers, Chris Sokol, Jamie Stein, Jennifer Early, Jennifer Gallagher, Jennifer Pike, Jenny McCoy, Judy Alford, Judy Taylor, Justin Dalton, Kristen Cox, LaTawnya Burleson, Lee Bishop, Leisa Shelor, Nicole Akers, Pamela Vickers, Pat Donovan, Rebecca Smith, Sally Shupe, Sandra Gabbert, Serena Young, Sheree Montgomery, Sue Teel, Tamarah Smith, Tasia Persson, Velva Groover, Zerita Montgomery

Excused: Sarah Owen, Sally Shupe, Hannah Parks

Call to order at 12:00 p.m.: President, Tamarah Smith

The agenda was electronically submitted to senators. With no additions, the agenda was approved at the meeting.

Approval of Minutes

Approval of the March Minutes will be done electronically.

Presentations:

Pamela Vickers, Director of ADA and Accessibility

- The Americans with Disabilities Act, as amended
 - ADA and Accessibility Services
 - Office of Equity and Accessibility
- Information
 - These materials are provided for informational purposes only and should not be construed as legal advice
 - ADA and Accessibility Services is the only office on campus authorized to provide workplace accommodations.
- Who are we?
 - ADA and Accessibility Services is a unit within the Office for Equity and Accessibility
 - The ADA Team
 - Pamela G. Vickers, Director ADA and Accessibility Services, pvickers@vt.edu
 - Gloria Hartley, ADA Accommodation Specialist, ghartley@vt.edu

- Raksha Sharma, ADA Accommodation and Outreach Specialist, raksha7@vt.edu
 - Joe Cooley, Campus ADA Architect, jcooley@vt.edu
 - Abby Carlson, ADA Case Manager, abbyvt.edu
 - Phone: 540-231-2010
 - adaaccess@vt.edu
- What do we do?
 - ADA and Accessibility Services authorizes reasonable accommodations for qualified employees with disabilities in accordance with the ADAAA
 - No qualified individual with a disability shall by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.
 - 28 CFR 35.150
 - Title II
 - Signage
 - Ramps-New and Improvements
 - Push buttons on doors
- What is the ADAAA?
 - The Americans with Disabilities Act, also known as the ADA, prohibits discrimination against individuals on the basis of disability. An amendment to the ADA, the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), clarified that a disability is a mental or physical condition or impairment that substantially limits one or more major life activities or bodily functions, such as:
 - Walking
 - Standing
 - Bending
 - Interacting with others
- Major Life Activities
 - Speaking
 - Seeing
 - Hearing
 - Eating
 - Thinking
 - Concentrating
 - Reading
 - Major Bodily Functions
 - Including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

- What do we know about disabilities?
 - Aging workforce
 - 57 million Americans report having a disability
 - Most disabilities are acquired
 - Disabilities can be acquired at any time
 - Most disabilities are not visible (about 96%)
 - Wide spectrum of disabilities and variations
- Disabilities in the U.S.
 - 57 million people in the United States have disabilities or 19% of the population
 - 8.1 million have difficulty seeing
 - 2 million are blind or unable to see
 - 7.6 million experience difficulty hearing
 - 31 million have difficulty walking or climbing stairs
- Policy 4075-Reasonable Accommodations and Authorized Offices
 - ADA and Accessibility Services authorizes employee accommodations
 - Graduate students for workplace accommodations
 - Student workers for workplace accommodations
 - Consult with SSD regarding physical/programmatic access for students
 - Services for Students with Disabilities authorizes student accommodations
 - For events, the sponsor of the event is responsible for providing accommodations for participants
- ADA AAA Composes of Five Titles
 - Title I – Employment
 - Title II – Physical and Programmatic Access in State and Local Government
 - Title III – Physical and Programmatic Access in Places of Public Accommodation
 - Title IV – Telecommunications
 - Title V – Miscellaneous
- Under the ADA AAA, an individual with a disability is a person who:
 - Has a physical or mental impairment that substantially limits one or more major life activities; or
 - Has a record of such an impairment; or
 - Is regarded as having such an impairment
- ADA AAA
 - The ADA AAA prohibits discrimination against qualified employees or job applicants on the basis of their disability. It covers all employment practices, including the job application process, hiring, advancement, compensation, training, termination, and all other conditions of employment
 - Under the ADA AAA, employers cannot use eligibility standards or qualifications that unfairly screen out people with disabilities and cannot make speculative

assumptions about a person's ability to do a job based on myths, fears, or stereotypes about employees with disabilities

- Title I – Employment
 - Title I of the ADAAA prohibits discrimination in all employment practices for employers with 15 or more employees
 - Requires employers to make “reasonable accommodations” for “qualified applicants and employees” using an “interactive process”
- Reasonable Accommodations
 - Any modification, adjustment or placement that will enable a qualified individual with a disability to perform the essential job functions or participate in educational programs, barring “undue hardship” on the university.
 - Reasonable accommodations do not change the fundamental elements of a program or eliminate the essential functions of a job.
- Undue Hardship
 - Under the ADAAA, undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as the size of the institution, its over financial resources, and the nature and structure of its operation
- Two Types of Job Functions
 - Essential
 - Marginal
- Qualified Individual
 - A person who meets the legitimate skill, experience, education or other requirements for a position, and who can perform the essential functions of the position with or without a reasonable accommodation
 - ADA Accommodation Basics
 - Employees must be able to perform the essential functions of the job with or without reasonable accommodation
 - Employment accommodations are determined by ADA and Accessibility Services via an individualized assessment and on a case-by-case basis in accordance with University Policy 4075
 - Employee accommodations are authorized or denied by ADA and Accessibility Services
- What is a request for accommodation
 - “I have a medical condition.....”
 - “I cannot do that task anymore due to my medical condition”
 - “I need a new chair because I have lumbar problems”
 - I can no longer make the Monday morning staff meeting due to my medical condition”
 - “The reconciliations may be late because I am having concentration issues....”

- Types of Workplace Accommodations
 - General requests for work environment (may include an alteration in the way tasks are completed)
 - Return to Work with Restrictions
 - Telework Accommodations based on a disability
 - Long Term Disability Working
 - Travel Accommodations
- Conditions that Almost Always Need Accommodating

Autism	Intellectual Disability
Bipolar	Major Depressive Disorder
Blindness	Missing Limbs
Cancer	Mobility Impairments requiring the use of a wheelchair
Cerebral Palsy	Multiple Sclerosis
Diabetes	Muscular Dystrophy
Epilepsy	Obsessive Compulsive Disorder
HIV	Post-Traumatic Stress Disorder

- Employee Responsibilities
 - Must self-identify
 - Engage in the interaction process with ADA and Accessibility Services and the supervisor or designee within the department
 - Sign a medical release and obtain relevant medical documentation from their medical provider that shows a clear nexus between the disability and the requested accommodation
 - Provide medical documentation to ADA and Accessibility Services
 - Adhere to the authorized accommodation and request updates as needed,
 - Notify ADA and Accessibility Services if the accommodation is no longer needed or if the accommodation is not effective.
 - Notify ADA and Accessibility Services if their supervisor changes.
- Supervisor Responsibilities
 - Refer employees to ADA and Accessibility Services
 - ALL medical restrictions
 - ALL requests for accommodation due to a medical condition
 - ANY adjustment in work schedule based on a medical condition or a disability
 - ANY alteration in the way work has previously been done based on a medical condition or disability
 - Medical documents pertaining to a medical, psychological/psychiatric condition must be forwarded to ADA and Accessibility
 - If there is concern regarding an employee's medical or health condition
 - Engage in the interactive process with ADA and Accessibility Services

- Implement the accommodations that have been authorized by ADA and Accessibility Services
- The Interactive Process
 - Per University Policy 4075, all requests for accommodation in the workplace must be referred to ADA and Accessibility Services
 - Per University Policy 4075, the interactive process involves an ongoing dialogue with the employee, the supervisor and/or human resources representative, and ADA and Accessibility Services
- Phase 1: Recognizing and Request for Reasonable Accommodation
 - Recognition of a request is the most critical part of the process
 - This is what initiates the interactive process.
 - It can come from an individual or a representative for an individual.
 - It can be made directly to a supervisor or ADA and Accessibility Services.
 - It does not have to use formal language or the word “Accommodation”.
- Phase 2: Documentation
 - ADA and Accessibility Services will determine what medical documentation is required.
 - ADA and Accessibility Services is the only office on campus authorized to request medical documentation related to an employment accommodation.
 - Departments/Supervisors should not request, receive, or accept medical documentation from an employee.
- Phase 3: Conversation with Employee
- Phase 4: Conversation with the Supervisor and/or Human Resources Representative
- Phase 5: Revise and Review
 - ADA and Accessibility Services will consider any proposed changes from the supervisor/leadership team with the individual employee and/or authorized representative.
 - The interactive process will continue until an accommodation is authorized or denied by ADA and Accessibility Services
- Phase 6: Authorization
 - When an accommodation is approved and authorized by ADA and Accessibility Services, an accommodation authorization letter will be generated and forwarded to employee, supervisor and human resources representative.
 - When an accommodation is denied, employee will be notified
 - It is the supervisor’s responsibility to see that the authorized accommodation is implemented.
- Contact Information:
 - Pamela G. Vickers, Director ADA and Accessibility Services, pvickers@vt.edu
 - Gloria Hartley, ADA Accommodations Specialist, ghartley@vt.edu
 - Raksha Sharma, ADA Accommodations and Outreach Specialist, raksha7@vt.edu

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Question: How will you handle the ADA requests associated with telecommuting and COVID going forward? We've been told in order to continue teleworking in any capacity after we return to campus that the only way this will be considered is through an ADA accommodation. What would be the process and how will these be determined from your office?

Answer: So yes, if the employee has a disability, medical condition, and/or impairment that substantially limits a major life activity, this would be a request for accommodation under the ADA. They would need medical documentation that states what the condition is and clearly shows a relationship why remote work is warranted. Here is the link to the ADA documentation forms:

https://oea.vt.edu/content/dam/oea_vt_edu/ada/ADA-Workplace-Request-Packet.pdf
https://oea.vt.edu/content/dam/oea_vt_edu/Medical%20Release-Fillable5.2020.pdf

Banks Blair: Member of Veteran's Caucus

- Veterans Caucus Mission
 - Established in 2015
 - Veterans have played and will continue to play an important role in Virginia Tech's culture, history and community
 - The purpose of the Veterans Caucus is to:
 - Improve the working, learning and living environment for employees and student veterans;
 - Advocate for the mentoring of and transitional support for veterans returning to work and/or school,
 - Recommend actions to improve the recruitment and retention of employee and student veterans.
- Veterans Caucus Officers
 - Chair-Juan Cordero
 - Veterans Certifying Official, Office of Veterans Services
 - Communications-Elvis Rosario, MPA
 - Emergency Coordinator, Office of Emergency Management
 - Secretary-Banks Blair, Ed.D.
 - Associate Director, University Studies
- Current Membership
 - Veterans Caucus Listserv

- 99 Members
 - Military-Connected Hokies Listserv
 - 73 Members
 - Eligibility Criteria:
 - Veteran or service member
 - Spouse or dependent of veteran or service member
 - Ally of the veteran & military-connected community
 - *All 5 branches of service are represented in the Vet Caucus
- Meetings
 - Last Thursday of each month
 - 4:00 – 5:00 pm
 - Previously in person (pre-COVID-19)
 - Zoom post-COVID-19
- Veterans working for, with veterans
 - Work with community partners, students, industries, the University administration, and faculty, to serve the needs of students who have served their country
 - Interact with student-led veteran organizations to understand the needs and challenges of our student-veterans.
 - Veterans@vt.edu – student organization that helps aid the transition of veterans from service life to student life.
- Veterans working for, with veterans
 - An example of a recent campus collaboration is the Vietnam Veteran’s Day Memorial Walk/Ruck
- Accomplishments
 - Established Caucus leadership roles-creation of officer positions
 - Offered first Veterans Day Recognition Luncheon (in person; 2019)
 - Collaborated with public relation graduate students to develop membership campaigns to increase awareness and participation
 - Increased member participation during general body meetings by 15%
 - First Veterans Day Luncheon (2020)
 - First Virtual Veterans Day Recognition Event (November 2021)
 - Worked with Pres. Sands’ team to coordinate a Veteran’s Day video message
 - Increased reader participation by 35% in the virtual Roll Call event
 - Collaboration with WKU & other national orgs.
- Future Goals
 - Creation of a Memorial Day Recognition Program
 - Virtual ceremony-Keynote Greg Calvert, VT Alum and OEF Veteran
 - Establish a caucus dues structure for fundraising & future events

- Seek ways to recruit and retain veterans at Virginia Tech
 - Officers will collaborate with VT HR & recruitment firm

Staff Senate Standing and Ad Hoc Committees. Due to time limits we had updates on the following two committees:

Elections & Nominations: Ms. Persson

This committee was able to fill the spring openings for commissions. If you haven't submitted a nomination please do so by Friday, April 23rd at 5PM. Still need nominations for Secretary/Treasurer and Parliamentarian. Will have a quick turnaround time for the ballot. Please fill free to email Tasia Persson (tpersson@vt.edu) or Judy Taylor (taylor1@vt.edu) if you have any questions or concerns. This is great way to learn about the leadership and to fill more a part of Staff Senate. Shows that you want to make a difference and that you are interested in Share Governance at the University.

https://virginiatech.qualtrics.com/jfe/form/SV_3n3oCuoQbQcKd5c

McComas Leadership Seminar: Ms. Earley

Shout out to the committee and the Speakers it was a great event. Please fill out the seminar. The link was sent out. It was Fantastic. For the first time that we had it online it went over very well.

Ms. Smith, Adjourned at 1:00 pm

Respectfully Submitted by Angel Carter