

# UNIVERSITY POLICY



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## Americans with Disabilities Act (ADA) University Appeal Procedure

**Responsible Office:** Human Resources  
**Effective Date:** March 24, 2025

### Policy Statement

Butler University's policy and practice are to comply with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. When an employee believes they have been unlawfully denied a reasonable accommodation, the employee may appeal the decision.

### Scope

The Appeal Procedure is available to all Butler employees who believe they have unlawfully denied reasonable accommodations in the workplace as required by disability laws.

### Policy

Butler University is committed to providing equal employment opportunity to persons with disabilities in accordance with the Americans with Disabilities Act (ADA). In keeping with that commitment, the University provides reasonable accommodation to qualified individuals with disabilities and forbids discrimination against employees because of a disability. It is the responsibility of the employee to make the University aware of the need for accommodation for a disability. The office of Human Resources or a designee is responsible for administering this policy. When an employee believes they have been unlawfully denied a reasonable accommodation, the employee may appeal the decision.

### Procedures

If the employee believes they have been unlawfully denied a reasonable accommodation, the employee may appeal the decision by completing the [Employee Accommodation Request Appeal Form](#). The appeal must be submitted within 3 calendar days of the denied accommodation request. The Director of Benefits and Wellness will review appeals. As necessary, the university's 504 Coordinator will also consult on appeals. The Director of Benefits and Wellness will confirm receipt of the appeal and will discuss with the individual within 7 calendar days of receipt of the complaint. This discussion may take place via email, phone call, or Zoom, depending on the specific circumstances of the situation.

**Notification of Outcome:** The Director of Benefits & Wellness will attempt to provide the employee with written notice of the final determination within 10 calendar days after meeting with the complainant, via their Butler email address. If an accommodation is approved through the appeals process, the approval will be effective as of the date of the appeals decision. After approval, an accommodation may take up to a week to be implemented. Accommodations are not retroactive. The decision made on appeal will be considered final.

**Retaliation:** It is strictly prohibited to engage in any form of retaliation against an individual who, in good faith, exercises their right to file an appeal under this policy or who cooperates in the investigation of such complaint. Retaliation against an individual for filing a disability accommodation appeal is a violation of the University's policy and

will be treated as a possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the Director of HR Operations & Compliance, as well as the Vice President and Chief Human Resources Officer and will be promptly investigated. Employees seeking to report retaliation can find the specific individuals in those positions, along with their contact information, on the [Human Resources Team webpage](#). The University is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

**Accommodations during the Grievance Process:** Individuals who may require disability accommodations for the process of the appeal itself should engage the ADA Accommodations Case Manager at the earliest possible moment to allow for time to evaluate and arrange the space, equipment, and resources that may be needed to implement the accommodation. Accommodations requests made on short notice may not be able to be accommodated. Accommodations are not retroactive.

**Confidentiality:** Confidentiality for individuals who participate in the appeal process, including any witnesses, will be maintained to the extent required by law. Absolute confidentiality cannot always be guaranteed, and information may be disclosed on a need-to-know basis.

*Policy Collaborators:* None

*Contact Information:* [hrbenefits@butler.edu](mailto:hrbenefits@butler.edu)

*History/Revisions:* New