

## REPORT OF THE DISABILITY RIGHTS AND CONCERNS COMMITTEE

The Disability Rights and Concerns Committee (DRCC) met from 8:00 am to 10:15 am on Friday April 4, 2025. It was a very successful meeting.

The following summarizes the meeting although not necessarily in chronological order nor order of importance.

1. The chair Pam Wolfskill was unable to attend and Ezra Zubrow was the temporary chair for this meeting.
2. Ezra as chair emailed Matt Kibler regarding the Saturday Workshop on the Legal Landscape of Anti-Discrimination at the DA asking for the addition of the ADA to the workshop. He attended the workshop.
3. Ezra as chair went to the Diversity, Equity and Inclusion Committee meeting on the behalf of DRCC and asked them to include disability in their discussion of DEI. He reminded them that “everyone will be disabled sometime”. Disability, also, is relevant to diversity, equity, and inclusion”. It was received positively.
4. We noted that there were visible and non-visible disabilities, temporary and permanent disabilities and that these directly and indirectly impacted both the work product and the workplace.
5. We discussed the lack for employees of a Disability Office or Officer as part of SUNY on any campus. Namely, there is a mandated Disability Office and Administrator to interact with students on each campus. However, this does not exist either in the university for employees at the chapter or state level. It was noted that when employees go to the “student disability office”, they frequently are told that “we cannot help you”, “we can help you only informally or off the record”, “your issues are different than student issues”, etc. A brief search of the web shows SUNY’s 64 campus disability offices for students but not a clear office for employees. For example the instructions for what to do for an employee at UB with a disability related issue is the following “*for SUNY Buffalo faculty and staff seeking disability accommodations or related information, HR Benefits is the primary point of contact; to initiate the process, email [ub-hr-benefits@buffalo.edu](mailto:ub-hr-benefits@buffalo.edu)*” It does not begin to consider such problems as a person whose disability precludes the use of the web or the many non-accommodation related problems people with disabilities confront. We discussed the creation of similar employee disability offices to the student disability offices or at least designated point persons in HR at each campus. We thought it might be a good topic for the state negotiating contract team.
6. Similarly, on the union side in addition to the DRCC which has acted as the central clearing house statewide for disability issues, it was suggested that there should be one LRS who would be the point person for all disability issues who would be very knowledgeable on disability legislation, regulation, case law, and administration so that chapter grievance officers would know who to contact in order to make response time more rapid.

7. Furthermore, at the chapter level It was recommended that there should be a disability committee or minimally one person designated as the chapter's disability officer. This committee or person would be knowledgeable to help the employee and even HR to find appropriate solutions and this union disability officer at each whom all staff and faculty issues could be directed. It is possible to instruct each chapter to reach out and appoint a disability officer or a disability committee. The role of the chapter disability committee was outlined in a document that Pam Wolfskill provided. It is copied in its entirety below in italics.

8. The next topic the committee examined was the document that Pam Wolfskill asked us to consider which is reproduced below. It provides a list of potential tasks for the DRCC to consider and a set of recommendations to operationalize.

*UUP Disability Rights and Concerns Committee- chapter disability committees.*

- *What can a chapter disability committee do?*
- *Be a channel of communication*
- *Disability the relationship between a person and an environment*
- *Often, improvements are made only if requested, but often, individual voices are not heard. UUP chapters are the collective voices of members and have a vital role in calling attention to problems in our working conditions. The committee can be a conduit for members to bring issues of needed services, like snow removal, safety issues or needed building modifications to the attention of the UUP chapter leadership, who can bring to Labor-Management meetings if appropriate.*
- *Create a mutually supportive disability community within UUP*
- *When members have disability-related questions, a campus disability committee gives them access to the experience of other disabled people and builds commitment to UUP.*
- *Show that UUP is an inclusive union*
- *A disability committee presents the chapter in a positive light for its interest in supporting all people who are represented by UUP to be fully productive professionally and to participate in and contribute to all aspects of campus life.*
- *Get people with disabilities involved in UUP*
- *We are committed to empowering everyone, including those with disabilities, to enjoy a fully productive professional life.*
- *Members of the disability committee may also become delegates or take on other chapter responsibilities. Occasional notes about issues of interest in the chapter newsletter can reach people with disabilities whose union involvement may have been very minimal. Disability committee members can write these notes.*
- *Improve campus access*
- *SUNY has greatly improved campus accessibility but people still report places that are inaccessible. The general picture is very uneven. Accessible facilities were found "in most cases" in only 40% of responses to our facilities checklist (seven campuses); while in 60% they were only found "in some cases" or "not at all." The piece-meal approach is inadequate. A disability committee can help the chapter to prioritize campus accessibility needs and work with others for their achievement.*

- *Who should be on the Disability Committee?*
- *UUP members, regardless of whether they have a disability, who are interested in making campus facilities and services user-friendly to everyone, should be on the committee.*
- *Suggestions for action by disability committees*
- *1. Assess whether the campus has adequate and well-publicized procedures for requesting reasonable accommodations. Do they include appeal procedures when requests are denied? Are the procedures on the web? In print? Do members know about them?*
- *2. Find out whether the campus has plans to evacuate people with disabilities from buildings in emergencies. If not, encourage their development and offer to work with those responsible.*
- *3. Consider making a campus guide to accessible routes and facilities for people with disabilities.*
- *4. Represent UUP disability concerns on planning boards for new or renovated buildings.*
- *5. Reach out to those on campus whose disability-related needs are unmet, especially newly disabled UUPers who need accommodations, and may be unaware of accessible facilities and services.*
- *We can change disabling environments to enabling ones.*
- *6. Request surveys of campus ADA compliance. Did the campus respond to the 1992 memo from SUNY Office of University Counsel and Vice Chancellor for Legal Affairs Sanford H. Levine directing campus presidents to implement ADA regulations (Appendix A of Disability Committee Report)? Have other surveys or reports been done? Determine what progress has been made. What needs to be done? Prioritize needs. What is being done by others on campus and how can the committee work with them?*
- *7. If none, working with other campus groups, try to get professional evaluation or consider doing an informal survey to determine important needs. See Checklist UUP Disability Committee website and click on SUNY Campus Accessibility CHECKLIST for people with disabilities [http://www.uuphost.org/committees/disability/uup\\_ada.html](http://www.uuphost.org/committees/disability/uup_ada.html) or see Americans with Disabilities Act, Accessibility Guidelines (ADAAG). <http://www.access-board.gov/adaag/html/adaag.htm>*
- *8.. Consider whether chapter newsletter is available online in a format that can be read by alternate browsers used by people with visual impairments. Alternatives?*
- *9. Are campus meetings held at accessible locations? Accessible to hearing-impaired persons? People with respiratory allergies? Ask how they could best be accommodated. Are other groups excluded by lack of access? Committee can look for alternatives.*
- *10. Encourage all interested in disability issues to join COALACC, the online discussion group for disability access at SUNY campuses. (Contact Carol Jewell [cjewell@uamail.albany.edu](mailto:cjewell@uamail.albany.edu).)*
- *11. Disability committee representation on the Chapter Executive Board provides two-way communication. The Executive Board has oversight of Committee activities and Board learns about ADA and about disability-related issues on campus.*
- *12. Work with other disability-related offices and organizations on campus who have an*

*interest in improving access and work with them to make campus more accessible.*

Noting that all that all 12 dotted action items are important. The committee decided it would consider prioritizing the 12 recommendations that they made. IT concluded that the order of priority, should be 2, evacuation routes 1. assess procedures 9. accessible meetings and 3. campus guides in that order.

9. The next topic that we took up was the continuing problem of short term and long-term accommodation. It was felt the frequently HR at the various campuses were able to provide rapid short term accommodation however there were considerably more problems if one needed long-term accommodation. In some cases, one will be disabled for a short period of time in a massive way (e.g., a broken back) then accommodations will be made, but then as the months go on and lesser, but continuous accommodations (extended physical therapy or specialized desks) are still needed it becomes more difficult to get HR to accommodate.

10. Another topic that was discussed was the over-bureaucratization of HR and the failure communications system with regards to Disability. In particular cases were noted where employees approached HR with a letter from the doctor's office requesting accommodation for the employee and HR refused accommodation because a particular form needed to be filled out by a doctor in order to begin the accommodation. HR refused to consider the Medical doctors letters sufficient. Therefore, employees needed to wait for the doctor's office to fill out the particular form with the same information as in the letter and could be delayed three or four weeks while it went through a hospital or medical office administrative officer. In a case that was discussed in some detail it meant the employee had to take sick leave for several weeks while waiting for a form to be answered.

11. Another problem that we call consequence or secondary accommodation. For example, a person is required under the terms of his employment and in the contract to live on campus. As part of his contract the university is required to provide housing. However, the employees partner becomes disabled and the question is to what extent is the University required to do an accommodation. If they cannot provide adequate accommodation are they required to allow the employee to maintain his employment and live off campus and are they required to provide compensation.

There were three people at the meeting, Ezra Zubrow (University at Buffalo), Sean Babcock (Delhi), and Shane Brownell (UUP Staff).