



Guideline for Reasonable Accommodation Application

1. Introduction

On 26 November 2021, the UFS Council approved the COVID-19 Regulations and Required Vaccination Policy implemented on 9 December 2021. The policy allows employees and *ad-hoc* contract workers to apply for reasonable accommodation.

2. Purpose

This guideline intends to provide a directive on the grounds and the process to be followed in the event of an employee and ad-hoc contract worker wishing to apply for reasonable accommodation. The approval of reasonable accommodation application is subject to the operational requirements of the UFS and the In Touch published by the UFS on 28 January 2022.

3. Grounds for reasonable accommodation

3.1 Isolated workspace

This option will only be possible if the Department/Faculty has a suitable alternative space available where an employee can work without close contact with others, which may endanger them. This option should be viable regarding the employee/ad-hoc contract worker's job profile. It would, by implication, exclude any employees or ad-hoc contract workers who work in a close team, have regular contact with staff and students, or are required to serve the public or perform physical work on campus amongst students or employees. This option will be subject to review by the direct line manager on a six-monthly basis. The line manager will be able to terminate this indulgence subject to an employee's performance.

3.2 Work from home



(only available to employees and *ad-hoc* contract workers who performed their services remotely before the COVID-19 pandemic in March 2020).

The UFS, in terms of its organogram, made appointments to meet its operational requirements and intrinsic job requirements. As Rectorate decided that all staff must return to Campus on 1 February 2022, work from home can only be approved for employees who performed 95% of their functions remotely before the commencement of the COVID-19 pandemic in March 2020. This option will typically apply to selected remotely stationed recruitment marketers (stationed in other provinces) and Adjunct or Associate Professors, where relevant. This arrangement will be valid for the duration of an incumbent's employment within the specific position. It will be subject to review by the direct line manager on a six-monthly basis.

3.3 No work, no pay

Employees and ad-hoc contract workers who are unwilling to receive the COVID-19 vaccination have the option to apply for no work no pay subject to the recommendation by their line manager. Approval will be subject to the availability of SLE's and a contract appointment person to act as a stand-in for the anticipated period of absenteeism, which should be agreed upon with the line manager. This option would be available for a maximum of three months, and whereafter such an employee would be required to return to campus and commence with their duties.

3.4 Extended annual leave application

The university recognised that several employees had accumulated annual leave, which may be applied for as part of the alternative accommodation process. Such annual leave applications will be subject to the pre-approval of the relevant line manager. In addition to the above such application will also be subject to the availability of SLE's and a contract appointment person to act as a stand-in for the anticipated period of absenteeism, which should be agreed upon in writing with the relevant line manager.



3.5 Research leave

All UFS academic employees on approved sabbatical leave or obtained approval from their direct line manager for research leave commencing on/after 14 February 2022 may apply for reasonable accommodation. Such employees will only qualify for reasonable accommodation should they not need to access the campus regularly for the period of their research leave.

3.6 Transfer

A UFS employee may request to be placed on the ERM Redeployment list to qualify for any suitable alternative vacancies which may arise and provide possible enhanced prospects for an isolated workspace. Any such individuals will only be eligible for suitable alternative vacancies should they meet all the minimum requirements of such positions. Any employee whose name is placed on the redeployment list should contact Ayanda Vani in ERM to inform ERM that they meet the requirements. Once ERM is aware of the interest, they will work closely with such an employee and the receiving line manager to commence negotiations pertaining to possible redeployment. The final discretion will, however, lay with the receiving line manager. This option will only be viable if the receiving Department or Faculty has isolated workstations available on campus.

3.7 Demotion

Individuals employed in positions demanding close contact, supervision of teams or teaching and learning responsibilities, working in open-plan or shared spaces may approach their line manager to be demoted to a position where close contact is not required, and a remote workstation is available. Such a demotion would entail a demotion in salary, status and responsibility and would be subject to a suitable alternative vacant position. This will entail that applicants meet all the minimum requirements for the vacancy they wish to be demoted. An employee can only request a demotion within the current



Department or Faculty where they are employed. This option will only be viable if isolated workstations are available within the Faculty/Department. A demotion of this nature must be by agreement amongst the parties and regarded as a voluntary demotion.

4. Process for application

4.1 Employees and ad-hoc contract workers who apply for reasonable accommodation should follow the following process.

- a) Applicants can apply for reasonable exemption by way of an independent application (as part of the exemption application process); **or**
- b) Alternatively, by referral of the Vaccination Exemption Committee (VEC) as (part of the outcome of a previous exemption application). Where there is an application for exemption and such application is declined by the VEC and referred to the relevant line manager for reasonable accommodation, such an employee or ad-hoc contract worker can complete the application for exemption form.

4.2 After completing the application for reasonable accommodation, it must be referred to the relevant line manager for the recommendation of approval.

4.3 Any application for a recommendation should be appropriately completed and motivated and should have a copy of the employees' updated job profile attached to it.

4.4 Once the line manager has completed their designated section, such an application should be returned to an employee to upload onto the UFS COVID-19 website as an annexure to the completed form D in the COVID-19 Regulations and Required Vaccination Policy. These applications will only be accepted and determined by the VEC if supported for approval by the relevant line manager. Feedback on these applications will be provided to the applicants via the website.



4.5 Any application for reasonable accommodation can only be temporary. Thus, it is of utmost importance that the direct line manager and the VEC indicate the indulgence's period of validity.

4.6 On any given date where the VEC considers applications for reasonable accommodation, an HR representative(s), ERM, the Dean or relevant Senior Director should be invited to advise on the following:

- The nature of the position
- The skills, qualifications and experience required for the position and the possibility of obtaining a relief contract employee for the period, taking scarce skills jobs into account.
- The availability of SLE's within the department/faculty to temporarily provide for the appointment of a contract employee to perform the applicant's functions.
- The amount of physical interaction required from an incumbent in the applicants' position.
- The availability of remote working space within the Faculty/Department.

4.7 Should an application for reasonable accommodation be declined by the VEC, such applicants will have the right to submit an appeal to the Exemptions Appeal Committee (EAC). Such a Request for Appeal should be forwarded to the Compliance Officer.

4.8 The outcome of the EAC will be final and binding.

4.9 Employees or ad-hoc contract workers whose applications are declined will be expected to comply with the UFS COVID-19 Regulations and Required Vaccination Policy while their applications are pending or after any formal outcome. Should such individuals not be willing to vaccinate, they will be required to report for duty and provide a negative PCR test.



- 4.10 All applicants whose application for reasonable accommodation is approved would be required to obtain a permit, comply with screening (at the Furstenberg gate on the Bloemfontein campus and main entrance at Qwaqwa and South Campus) and COVID-19 protocols should they wish to access campus during the period of their reasonable accommodation.
- 4.11 The reasonable accommodation process can only be applied considering an employee's existing conditions of service. It will not be available to employees wishing to amend/demand new conditions of service.

APPLICATION FOR REASONABLE ACCOMMODATION

Name of Employee *or Ad-hoc* worker: _____

Employee Number: _____



Department: _____

Job Title: _____

Identity number: _____

I herewith apply for reasonable accommodation based on the following ground(s):

- | | |
|--------------------------|--------------------------|
| 1. Isolated workspace | <input type="checkbox"/> |
| 2. Work from home | <input type="checkbox"/> |
| 3. No work, no pay | <input type="checkbox"/> |
| 4. Extended annual leave | <input type="checkbox"/> |
| 5. Research leave | <input type="checkbox"/> |

Motivation for reasonable accommodation to be completed by the applicant
(motivate support of application):

**Kindly remember to attach your job profile as an application as applications in the absence of a job profile will not be considered.*



Signature of applicant

Date

**This section is to be completed by the relevant line manager of the applicant.*

Line managers should use the following criteria to approve or decline applications for reasonable accommodation.

- The nature of the position
- The skills, qualifications and experience required for the position and the possibility of obtaining a relief contract employee for the period, taking scarce skills jobs into account.
- The availability of SLE's within the department/faculty to temporarily provide for the appointment of a contract employee to perform the applicant's functions.
- The amount of physical interaction required from an incumbent in the applicants' position.
- The availability of remote working space within the Faculty/Department.

I _____ (name), approve/decline (please circle relevant option) the application based on the following reasons (please motivate the reasons below):

Reasons for the decision:



This application is approved for the following period from:

_____ (date)

to _____ (date).

Line Manager Signature

Date

** After approval by line, the form must be submitted on the UFS website or manually by the compliance officer.*