



## Civil Rights Department

651 Bannan Street, Suite 200 | Sacramento | CA | 95811  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
www.calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

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publicaffairs@calcivilrights.ca.gov

916-938-4113

### UC San Francisco to Audit Employment Disability Policies Following Civil Rights Complaint

*Settlement results in \$300,000 in compensation and legal costs*

**SACRAMENTO** – The California Civil Rights Department (CRD) today announced reaching a \$300,000 settlement with the University of California San Francisco (UCSF) to resolve allegations that the university failed to take reasonable steps to address an employee's request to work remotely as an accommodation for a disability. As part of the settlement, UCSF will conduct a review of its policies for handling disability accommodation requests in the workplace, provide training for staff on state disability protections, and compensate the employee.

"One of the core promises of our state's disability protections is that every worker is entitled to a good faith discussion with their employer about ways to help them stay on the job," **said CRD Director Kevin Kish**. "Nobody wins when employers fail to engage in the interactive process. This settlement will help ensure UCSF workers with disabilities remain protected."

#### **No Room for an Exception**

In 2022, CRD received a complaint against UCSF alleging that the university failed in multiple instances to adequately engage with an employee on requests to make exceptions to workplace policies because of a disability limiting certain physical activities. According to the complaint, the employee was at one point involuntarily placed on medical leave, denied meaningful opportunities to discuss alternatives to working in the office despite having provided a doctor's note to support the requests, and forced to drive into the office in pain for an extended period in retaliation for seeking an accommodation. The employee shared in their complaint that they could have continued to do their regular work from home, especially since their department was working remotely at the time.

## Reasonable Accommodations

Under California law, employers are required to interact with an employee to explore all possible means of reasonably accommodating a person's disability prior to rejecting a request for an exception to a workplace policy. Accommodations are generally considered reasonable if they do not impose an undue hardship on an employer's business. Examples of reasonable accommodations include changing job duties or work hours, providing leave, changing where a person works, or providing assistive devices. California law broadly defines a disability as any condition that limits a major life activity, including physical, mental, and social activities or work.

## Investigation Leads to Settlement

After conducting an investigation, CRD determined that UCSF violated state employment disability protections and provided the university an opportunity to resolve the allegations through mediation. As a result of the settlement, UCSF, without admitting wrongdoing, will:

- Hire an external consultant to conduct a thorough assessment of the university's policies and practices for disability-related accommodations for employees.
- Implement recommendations made by the consultant, as appropriate and in consultation with CRD, to ensure compliance with state protections for workers with disabilities.
- Train supervisors, managers, and staff who provide disability services on state requirements regarding reasonable accommodations, as well as protections against disability discrimination.
- Provide direct notice to certain UCSF medical center employees on their right to be free from discrimination and retaliation, including information on how to request an accommodation.
- Pay \$300,000 in compensation to cover relief for the employee and legal costs.

If you or someone you know has experienced employment discrimination, CRD may be able to assist you through its [complaint process](#). The department also [provides general information and factsheets online](#) about civil rights protections, including with respect to the [rights of employees with disabilities](#).

The settlement announced today was secured by Senior Staff Counsel Shilpa Ram and Associate Chief Counsel Alexis Alvarez. It was mediated by Senior Mediator Andrea Fernandez-Jackson.

You can learn more by [reading the settlement](#).

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*The California Civil Rights Department (CRD) is the state agency charged with enforcing California's civil rights laws. CRD's mission is to protect the people of California from unlawful discrimination in employment, housing, public accommodations, and state-funded programs and activities, and from hate violence and human trafficking. For more information, visit [calcivilrights.ca.gov](http://calcivilrights.ca.gov).*

