

Ensure Productivity: Reasonable Accommodations

EARN Training Center
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Inclusion@Work Framework



Ensure Productivity: Reasonable Accommodations



What is Reasonable Accommodation?

- Reasonable accommodation is required via the ADA in 1990 and reinforced via the ADAAA of 2008 and Section 501 of the Rehabilitation Act
- Reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities
 - Application process
 - Work environment, facilities or processes/practices
 - Any other employment benefits

Three Categories of Reasonable Accommodations

- Modifications to the application process to ensure access
- Modifications to the work environment or the manner or circumstances of how work is done to allow qualified employee to do the job
- Modifications that enable an employee to enjoy the benefits and privileges of employment

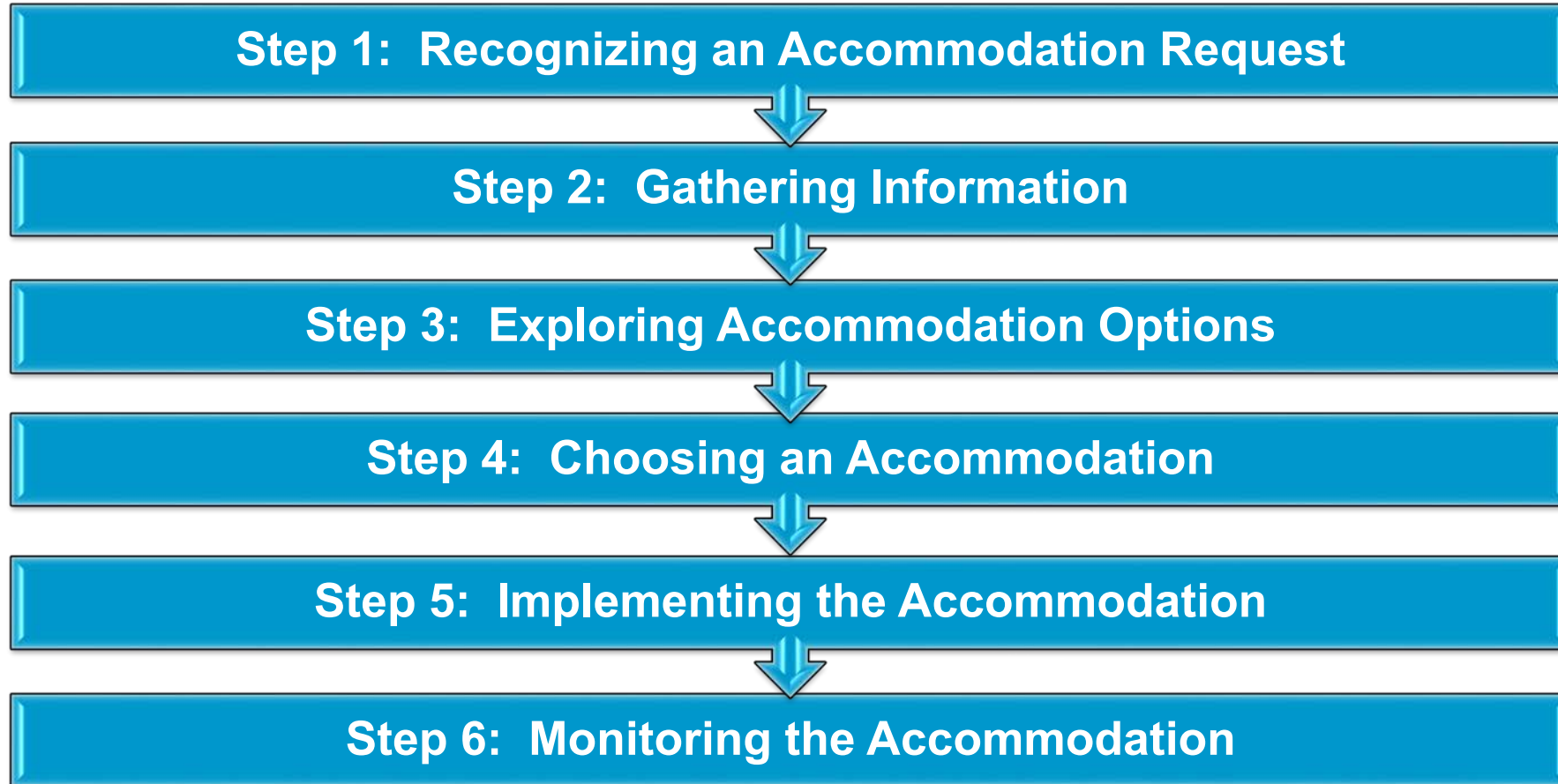
EXAMPLES

- Accessible work and non work areas
- Readers, interpreters, job coaches
- Alternate formats
- Job restructuring
- Adjustable work station
- Ergonomic chairs
- Anti-fatigue matting
- Assistive technology devices and modified equipment
- Flexible work schedules
- Job sharing or telecommuting options

How Will You Know When to Accommodate?

- In most instances, it is the responsibility of the employee to disclose and/or request an accommodation
- According to the EEOC, an individual may use "plain English" and need not mention the ADA or use the phrase "reasonable accommodation" when requesting an accommodation
- **Undue Hardship:** based on an individualized assessment of current circumstances that show that a specific reasonable accommodation would cause significant difficulty or expense

The Interactive Process



Step 1: Recognizing an Accommodation Request

- **Example A:** An employee tells her supervisor, "I'm having trouble getting to work at my scheduled starting time because of medical treatments I'm undergoing"
- **Example B:** An employee tells his supervisor, "I need six weeks off to get treatment for a back problem"
- **Example C:** A new employee, who uses a wheelchair, informs the employer that her wheelchair cannot fit under the desk in her office
- **Example D:** An employee tells his supervisor that he would like a new chair because his present one is uncomfortable

Step 2: Gather Information

- Explore limitations compared to tasks
 - In most cases, to find effective accommodations employers need to know what limitation is causing an inability to perform a task(s)
- Get information from the employee when possible
 - Employees with disabilities are familiar with their needs and often know what accommodations will work best for them
 - Some employees with newly acquired disabilities may not know what their needs are and what accommodations might help them with work tasks
- ADA rules for medical inquiries
 - A good policy for employers is to only ask for what is absolutely necessary
 - Do not ask for ALL medical records
 - Never ask for a medical diagnosis

Step 3: Exploring Accommodation Options

- Keep an open mind
 - Accommodations are about doing things differently to help remove disability-related limitations, so keep an open mind when exploring accommodation options
- Invite the employee to suggest accommodations
 - The employee who requested the accommodation may have some good accommodation ideas, but may be hesitant to bring them up without being asked to do so
- Establish a broader team for ideas
 - Medical professionals
 - Safety personnel
 - Technology and Communications staff

Step 4: Choosing an Accommodation

- The employee is typically the best source of information, but the employer ultimately decides
- Most expensive accommodation is not always the best
- One-size does not fit all
 - Consider the limitation, the job and the environment where the job occurs

**Accommodations are JOB and PEOPLE specific...
not disability specific.**

Step 5: Implementing the Accommodation

- If equipment is involved, then it needs to be properly installed and the employee needs to be trained in its proper use
- If the accommodation involves a schedule change or policy modification, then certain managers or supervisors may need to know of the change to effectively implement it
- If the accommodation involves an outside service, someone needs to make sure the service is provided promptly and effectively
- If the accommodation is a reassignment, then the employee may need time to acclimate to the new job

Step 6: Monitoring the Accommodation

- Accommodations are not a “one-time-only” event
 - Check on effectiveness
- Encourage ongoing communication
 - Encourage employees to communicate if there are changes or problems with the accommodation and who specifically to contact

Ensure Productivity: Reasonable Accommodations



- Written policies and procedures for processing requests for reasonable accommodations
- Develop centralized accommodation fund and source of expertise
- Provide training on new strategies and devices
- Utilize online tracking system (database)
- Allow line managers to approve, with upper management review of denials
- Assign a full-time director of disability services or workplace supports to coordinate accommodation strategies
- Utilize Job Accommodation Network (JAN)

Job Accommodation Network (JAN)

- One-on-One Guidance on Workplace Accommodations
- ADA Library
- Publications and Resources
- Reasonable Accommodations [Database](#)
- Private, Federal, State & Local Government Services
- Training [Hub](#)
- JAN Workplace Accommodations [Toolkit](#)
- Mobile Accommodation Solution [MAS App](#)



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