



### **Quick Facts:**

#### **Reasonable Accommodation in the Workplace**

A reasonable accommodation is any modification or adjustment to a job, an employment practice, or the work environment that allows a **qualified individual** with a disability to perform the **essential functions** of a job.

A **qualified individual** with a disability is an individual who:

- satisfies the skill, experience, education, and other job-related requirements of the position
- can perform essential functions of the position, with or without reasonable accommodation

**Essential functions** are job duties that are fundamental to the position, as opposed to marginal or occasional duties that may be performed by the worker. Factors for determining essential functions of a job include:

- that the position exists specifically to perform the essential functions
- the number of other employees available to perform the same job duties
- expertise or skills required

#### **Types of Reasonable Accommodation**

- Modify a job
- Use a product or equipment
- Reassign to a vacant position
- Modify a policy
- Modify or design a product
- Modify a work schedule
- Modify a facility
- Obtain a service
- Modify tests and training materials

#### **Examples of Reasonable Accommodation**

**Modified supervision:** A supervisor wrote out feedback rather than presenting it verbally for a worker who communicates more effectively through written materials.

**Facility modification:** Furniture was moved to make a safer passageway for an employee who is blind.

**Equipment modification:** A computer was modified to magnify images on the screen, thus allowing a worker who is partially sighted to accurately enter and read information.

**Restructuring the job:** Keeping all the essential functions, a job was modified by making it more consistent from day to day, allowing a worker with a cognitive disability to have a structured routine.

#### **Undue Hardship**

The only limitation on an employer's responsibility to provide reasonable accommodation is that no modification is required if it would cause undue hardship to the employer.

**Undue Hardship:** When an accommodation is difficult, expensive, disruptive or will fundamentally change the nature of the position.

**Fundamental Alteration:** When an accommodation would change the nature of the business or the worker's job description so much that it would no longer resemble the original.

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According to the Equal Employment Opportunity Commission (EEOC) and the Technical Assistance Manual of the Americans with Disabilities Act, the reasonable accommodation process needs to be considered on a *case-by-case* basis. This section is designed to help understand the phases of the reasonable accommodation process.

## Process of Reasonable Accommodation

- ⇒ Obtain preliminary documentation.
  - The employee may be required to provide documentation of a disability from the appropriate medical professional if the disability is not obvious.
- ⇒ Initiate an interactive dialogue to discuss how the employee's limitations affect work activities and what can be done to enable the person to perform the essential functions of the position.
  - All participants involved must agree to maintain confidentiality when discussing accommodations.
- ⇒ Both the employee and the employer may suggest appropriate accommodations.
  - Sometimes the employee will know what accommodations work best and other times the employer may have more knowledge about what accommodations will be best in the work environment.
  - The Job Accommodation Network ([www.jan.wvu.edu/](http://www.jan.wvu.edu/)) also provides information about reasonable accommodations in the workplace.
- ⇒ Implement the agreed upon reasonable accommodation.
  - Agree what accommodations will take place.
  - Agree when the accommodations will begin.
  - Agree on what the accommodation should achieve (i.e., J has an anxiety disorder and occasionally needs to go outside for five minute breaks. J's office was moved close to an exit to accommodate the need to take breaks and minimize distractions to co-workers.)
- ⇒ The interactive accommodation process should be ongoing.
  - The employer and the employee should continue communication to determine if the accommodation process is working and make adjustments accordingly.
- ⇒ Document dates, actions taken, and adjustments made to assure continued success.
  - All parties involved should document information about the reasonable accommodation process in order to maintain an accurate record and so they can look back over the process and know what they have done to act on the accommodation.

This handout is intended to provide a brief overview of the reasonable accommodation process. For more information please check the following resources:

DBTAC *Northwest*  
ADA Information Center  
1-800-949-4232  
[www.dbtacnorthwest.org](http://www.dbtacnorthwest.org)

EEOC  
1-800-408-8075  
[www.eeoc.gov/policy/docs/preemp.html](http://www.eeoc.gov/policy/docs/preemp.html)  
[www.eeoc.gov/policy/docs/accommodation.html](http://www.eeoc.gov/policy/docs/accommodation.html)

Job Accommodation Network  
1-800-526-7234  
[www.jan.wvu.edu](http://www.jan.wvu.edu)

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