

**REASONABLE ACCOMMODATIONS:
WHAT ARE THEY AND HOW DO I ASK FOR ONE?**

What are reasonable accommodations?

Under the Americans with Disabilities Act (ADA), a “reasonable accommodation” is defined as follows:

*"Any modification or adjustment to a job or the work environment that will enable a **qualified applicant or employee** with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities."*

The key word in the phrase “reasonable accommodation,” for the purpose of successfully securing that accommodation, is the word “reasonable.”

Generally, an accommodation could be considered “reasonable” as long as providing this does not impose an undue hardship on the business.

There are three different factors that determine whether a particular accommodation request exceeds the threshold of undue hardship on a business:

1.) *Providing the accommodation to the individual would cause a financial burden to the company:* The financial impact of a requested accommodation depends on the net income of the employer. For example: if a business has an annual net income of \$225,000, the financial

Reasonable Accommodations

considerations associated with potentially meeting an accommodation request would be different than would be those which would attach to a business with a net income of \$24,000,000.

2.) *Providing the accommodation would be a disruption to the business.*

3.) *Providing the accommodation would significantly alter the operation of the business.*

There can be as many different types of accommodations that could be determined “reasonable” as there are unique individuals who experience disabilities who might request them. For an accommodations request to be considered “reasonable” depends on the work environment in the particular business. What is reasonable in one work environment, under one set of circumstances, may legitimately be seen as unreasonable in another work environment.

Reasonable Accommodations

Two examples of accommodation requests commonly made by people who experience mental health challenges follow:

- 1) If employee has difficulty concentrating in a noisy work environment, the employee may request to be allowed to wear noise-blocking headphones.

A request of this kind *would usually be granted* as long as that employee wearing headphones does not disrupt the operations of the business. If the employee worked at a computer in a designated work station, and would not need to interact with the public then this request *would likely* be found to be reasonable. However, if the employee were working in a retail environment as a cashier, the same request to wear noise-blocking headphones *would likely be seen as **not** reasonable* because a cashier wearing noise-blocking headphones would not be able to hear customers when they talked and, thus would disrupt the operations of the business.

- 2) If an employee experiences periodic anxiety attacks, the employee may request s/he could step away from the work task when the attacks occurred, and go outside to get some air.

If the employee's work environment is a work station in an office, this accommodation would likely be seen as reasonable. However, if the employee operated machinery on an assembly line and stepping away would disrupt the work flow to the detriment of the business, the same accommodation request would likely be refused.

How do I make a request?

As a general rule-of-thumb, accommodation requests should be presented to an employer in writing and discussed during the application and/or hiring processes. If at all possible, the accommodation request should specify what is being requested and how it will benefit you to perform the job. When submitting a request for reasonable accommodation, you might want to partner with a friend or acquaintance to get support in writing the letter to the employer. It is also a very good idea to “rehearse” with a partner what you are going to say to the employer to express how providing this reasonable accommodation will benefit you and the business.

If you are not sure of exactly what kind of accommodation would be most beneficial—the ADA requires that the employer and you work together to identify the need. However, in any discussion about a possible reasonable accommodation, you (the applicant) can be presumed to attach a greater priority for identifying a successful accommodation than the employer. For this reason, as much as possible, if you are going to request an accommodation under the ADA, it is important that you do your homework in advance of making the request as to the type of accommodation you would like to request and how granting your request will enable you to do your job better.

Because of the conditions attached to accommodations under the ADA, any decision made by an employer on an accommodation request should be provided in writing. If the employer does not provide this, you should

Reasonable Accommodations

request a copy of the request and decision for your own records. If an employer casually mentions in conversation what the ultimate decision was regarding an accommodation request, you should make point of asking for the notification of the accommodations decision in writing.

This material is based on a peer-delivered employment services and supports approach developed by Jo-Ann Sowers, Ph.D. and Rollin Shelton of the Regional Research Institute at Portland State University.