

JAN

Job Accommodation Network

Practical Solutions • Workplace Success

Unpacking the Reasonable Accommodation Conversation: Achieving Win/Win Outcomes

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JAN is a service of the U.S. Department of Labor's
Office of Disability Employment Policy.

Who is JAN?

A screenshot of a YouTube video player. The video content shows the JAN logo at the top center. Below it are four circular icons: a headset for "TECHNICAL ASSISTANCE", a calendar for "TRAINING", a document for "PUBLICATIONS", and a magnifying glass over a grid for "RESEARCH ON WORKPLACE ACCOMMODATIONS". A blue banner at the bottom of the video frame reads "and the Americans with Disabilities Act." The video player interface includes a search bar at the top, a play button, a progress bar showing 0:21 / 3:51, and a subscribe button with 194 subscribers. The video has 1,080 views.

JAN is here for YOU!

JAN Job Accommodation Network

Subscribe 194

1,080 views

The three C's: Increase comfort, confidence, and competence

- Develop skills that help to more effectively communicate at work with people with disabilities
- Develop and effectively communicate actionable policy and procedures
- Develop normative practices for engaging with people with disabilities throughout the employee life cycle

Five Signs the Doors are Open

1. Accessible buildings, technology, etc.
2. Inclusive ethos - particularly language
3. Inclusive public relations and marketing
4. Leverage national and local resources to communicate inclusion
5. Inclusive policies and practices

Elements of an actionable process:

1. Step-by-step process
2. Clearly delineated
3. Timelines for processes
4. Touchpoints for communication
5. Process for resolving disputes

What is the Interactive Process (IP)?

- A collaborative effort to identify effective accommodation solutions – it's that simple.
- Embraces the experience of the applicant or employee
- Creates a standard of practice
- Facilitates communication and inclusion
- Demonstrates good faith
- Leads to ADA/Section 503 compliance



Recognizing an RA Request



What *is* a reasonable accommodation request?

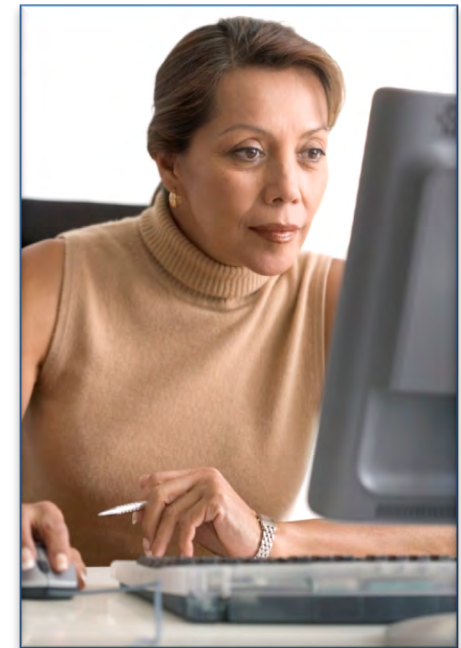
- An applicant or employee asks for something that is needed at work *because of* a medical condition – there is a nexus between disability/medical condition and a work task

To request accommodation, an individual:

- May use “plain English”
- Need not mention the ADA
- Need not use the phrase “reasonable accommodation”

Eight Most Common Types of RA

- Modifying schedule or allowing leave time
- Making workplace or work station accessible
- Modifying methods – testing, communication, or training
- Modifying or creating policies
- Purchasing or modifying equipment or products
- Purchasing a service – reader or interpreter
- Restructuring job
- Reassignment
- Other accommodations
 - Telework
 - Adjusting supervisory method
 - Using a service animal



JAN's Interactive Process



Step 1: Recognizing an Accommodation Request

Step 2: Gathering information

Step 3: Exploring Accommodation Options

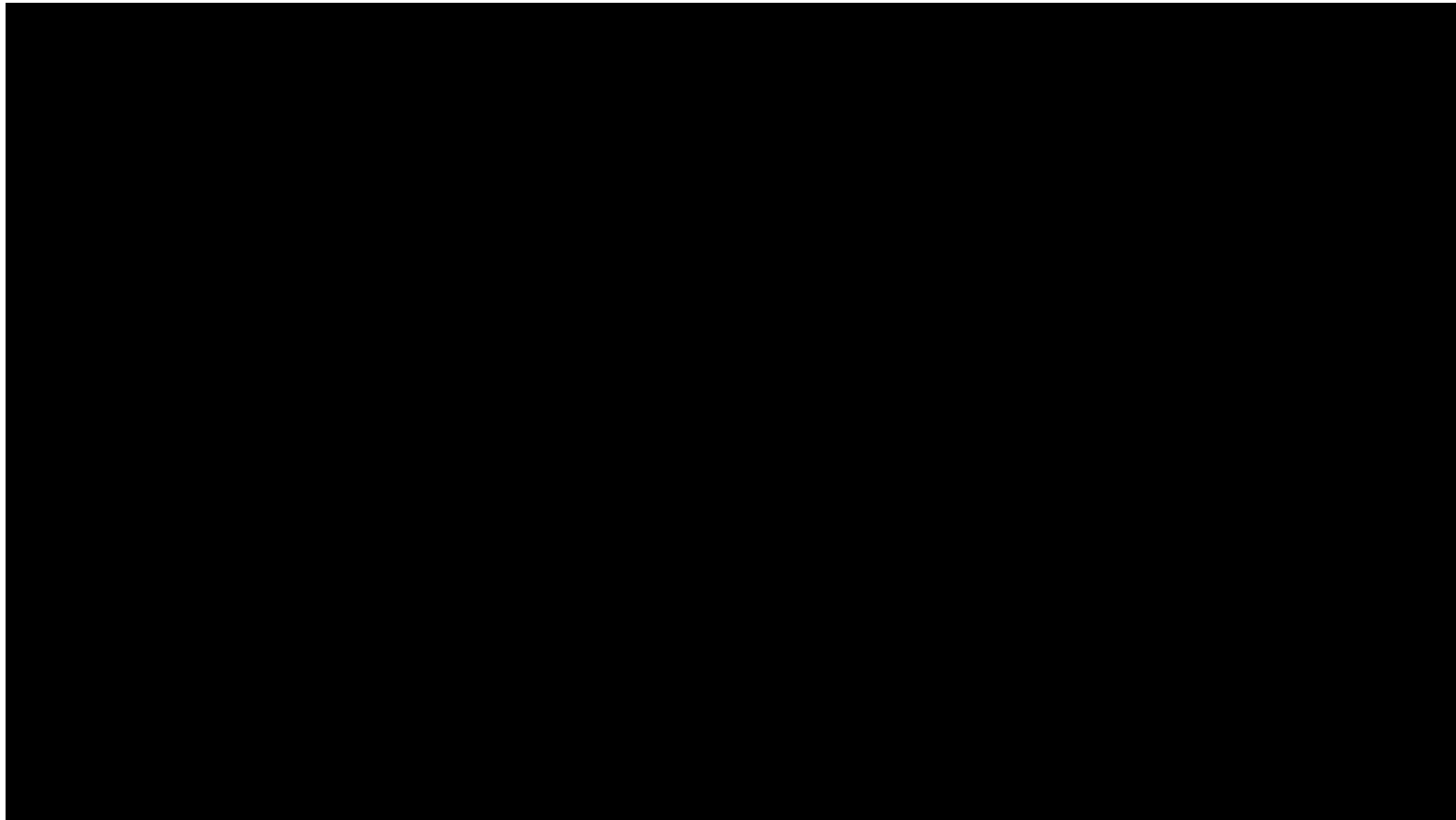
Step 4: Choosing an Accommodation

Step 5: Implementing the Accommodation

Step 6: Monitoring the Accommodation

<http://AskJAN.org/media/eaps/interactiveprocessEAP.doc>

An Ineffective Interactive Process



An Ineffective Interactive Process

Why was this interactive process *ineffective*?

Identify five errors Tonya made.



An Ineffective Interactive Process

- Did not meet with Joseph in private
- Challenged need for accommodation — “Well, you never said anything before...”
- Compared Joseph’s needs to others and dismissed his challenges
- Her body language is standoffish and verbal responses demonstrate a lack of empathy

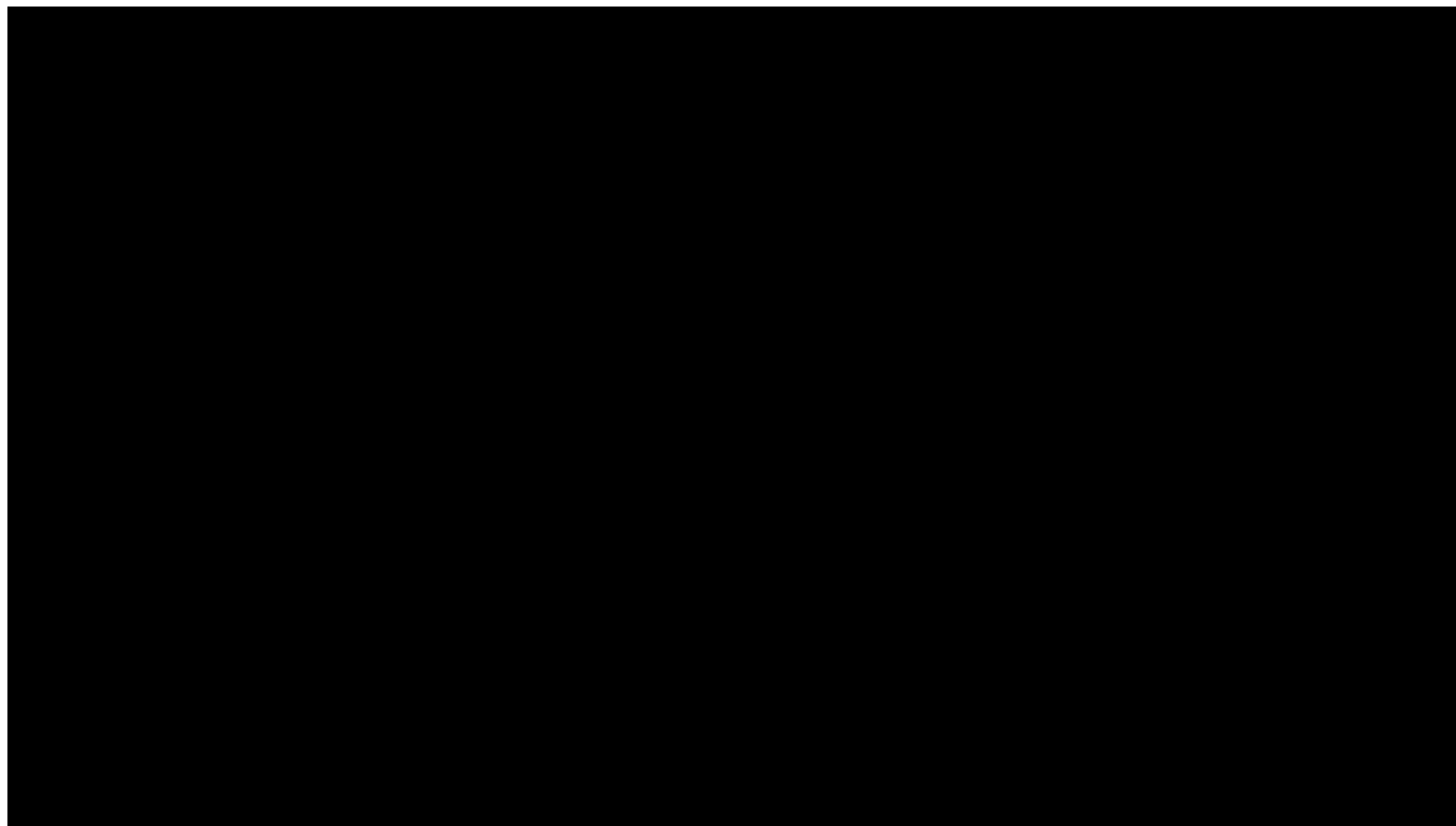


An Ineffective Interactive Process

- Failed to follow through with HR and did not act in good faith
- Did not collaboratively discuss accommodation solutions and dismissed Joseph's ideas
- Resigned to do nothing in favor of leave as an accommodation

Three months later
in the
supervisor's office

An Effective Interactive Process



An Effective Interactive Process

Why was this interactive process effective?

Identify at least five differences.



Joseph: Thank you for securing this space.

An Effective Interactive Process



- Private space was secured
- Tonya actively listens and demonstrates understanding of Joseph's conditions
- Builds trust through positive dialogue and interest in identifying solutions together
- Expresses commitment to create an environment where all can contribute
- Informs Joseph of her limited knowledge and need to engage the company's RA expert
- Responds without delay to arrange meeting with Greg

An Effective Interactive Process

- Greg is empathetic and offers solutions
- Joseph is assured that accommodations can be implemented in a way that preserves his privacy and can be part of broader adjustments
- It becomes clear that accommodations could benefit others as well
- Tonya recognizes the need for the company to communicate their RA policy to all employees




An online “living” toolkit that captures and continuously updates best and emerging practices in providing accommodations in the workplace.

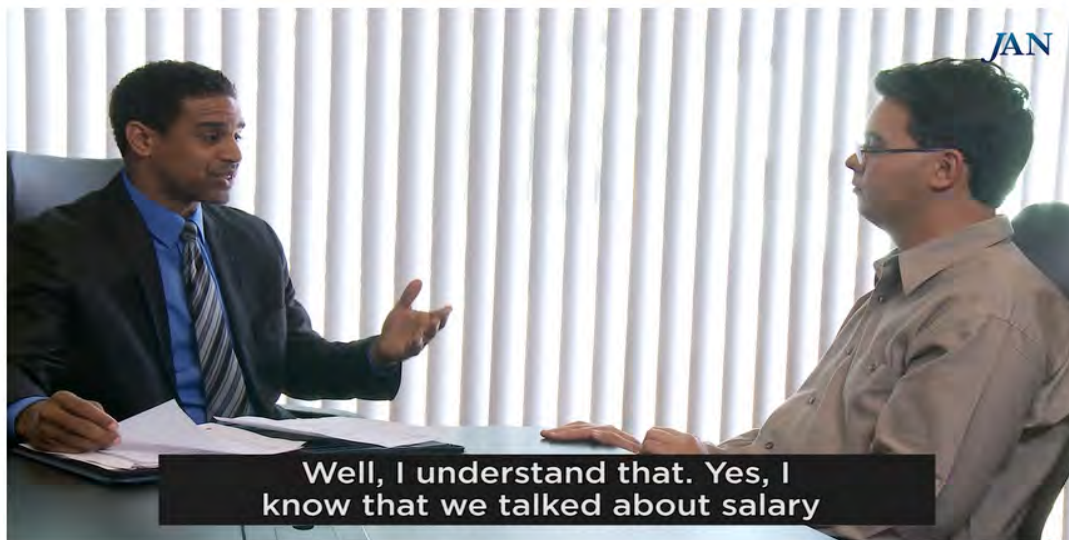
AskJAN.org/toolkit/





Just-in-Time Training Videos

Video 1 - Interviewing an individual on the Autism Spectrum

 Hiring Individuals with Disabilities (.ppt)



 Download High Definition (948 MB)

 Download Standard Definition (489 MB)

Just-in-Time Training Videos

Video 3 - Managing the performance of an employee with a non-apparent disability

[Managing Performance of Employees with Disabilities \(.ppt\)](#)



[Download High Definition \(1.03 GB\)](#)

[Download Standard Definition \(540 MB\)](#)

The basis for inclusive employment is the reasonable accommodation (RA) policy and process

The foundation for reasonable accommodation is a robust interactive process (IP)

The trigger for RA and IP is a request for an accommodation or recognition of an obvious barrier to someone with a known disability

A request for accommodation includes two essential elements – a medical condition and a related challenge at work

JAN Resources



- Expert consultation
- Over 250 JAN-authored Publications
- JAN's A-Z (Disability, Topic, condition)
- Legal libraries that include regulations and EEOC guidance documents
- JAN Quarterly ENewsletter
- JAN Training Modules and FREE Webcast Series
- Easy access:
 - AskJAN.org
 - 800.526.7234 or 877.781.9403 (TTY)
 - Chat, JAN on Demand, Skype, Text, Social Media

For More Information



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<http://AskJAN.org/landingpage/Forum2017>



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