

Manager's Business Process for Workplace Accommodation Requests

As a manager, it is important that you are aware of the Americans With Disabilities Act's (ADA) requirements governing employee accommodation requests. While the Benefits Team manages the evaluation and implementation process, you play an important role in recognizing when a co-worker requests an accommodation. This document outlines the accommodation request process and is meant to be a resource for you, but please always reach out to the **Benefits Team** with any questions.

Accommodation Policy & Process

Under the ADA, EAB is required to make, upon request, a reasonable accommodation to qualified employees with disabilities if the accommodation is needed to perform the essential functions of a job, unless doing so would pose an undue hardship.

Initiating a Workplace Accommodation Request

The reasonable accommodation process typically begins when an employee requests an accommodation for their disability. The Benefits Team manages this process. If a co-worker informs you that they wish to request a workplace accommodation, please ask them to reach out to Benefits@eab.com.

- ▶ It is not uncommon for an employee to tell their manager that they have a disability and/or to make an accommodation request directly to their manager. While you should not ask any follow-up questions about an employee's disability or requested accommodation, it's important to be able to recognize a request.
- ▶ **NOTE:** Disclosing a disability and requesting an accommodation are two different things. An employee may have a disability that does not require a workplace accommodation. Disclosing a disability does not, in itself, constitute an accommodation request.

Examples of accommodation requests from the Equal Employment Opportunity Commission

Example A: An employee tells their manager, "I'm having trouble getting to work at my scheduled starting time because of medical treatments I'm undergoing." This constitutes an accommodation request, and you should direct the employee to connect with the Benefits Team.

Example B: An employee tells their supervisor, "I need six weeks off to get treatment for a back problem." This constitutes an accommodation request, and you should direct the employee to connect with the Benefits Team.

Example C: A new employee, who uses a wheelchair, informs the employer that their wheelchair cannot fit under the desk in their office. This constitutes an accommodation request, and you should direct the employee to connect with the Benefits Team.

Example D: An employee tells their manager that they would like a new chair because their present one is uncomfortable. Although this is a request for a change at work, it does not constitute an accommodation request because there is no link to a disability.

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The ADA requires employers to keep all disability-related information confidential.

- ▶ Please understand that even if an employee were to choose to disclose any disability or accommodation related information to you, you must keep this information confidential and not share with anyone else. Managers should not ask any follow-up questions about an employee's disability or requested accommodation. Once an accommodation request has been identified, managers should not ask any follow-up questions and instead connect the employee to the **Benefits Team**, which will manage the request from there.
- ▶ If you are unsure whether or not an employee's statement constitutes an accommodation request, please reach out to the **Benefits Team**.

The Interactive Process

Upon learning of the possible need for a reasonable accommodation under the ADA, Benefits will engage in a process in which Benefits, the employee, and, potentially, the employee's healthcare provider, share information about the nature of the disability, the limitations that may affect the employee's ability to perform the essential job duties, and modifications that will allow the employee to perform the essential duties of their job. This is referred to as the "interactive process."

During the interactive process, Benefits may ask the employee to have their healthcare provider complete a Medical Certification Form. This form is used to substantiate that an employee has an impairment, associated limitations, and requires accommodation under the ADA. Benefits will maintain this and other records related to the accommodation request in accordance with applicable confidentiality requirements.

What constitutes a reasonable accommodation will be determined on a case-by-case basis. Employers are not obligated to provide the accommodation requested by the employee. An employer may choose among reasonable accommodations as long as the chosen accommodation is effective. Employers may deny an employee's request for a reasonable accommodation if it would impose an undue hardship on the business and there is no alternative reasonable accommodation. Benefits will notify the employee of its decision in writing.

Implementing & Monitoring Approved Accommodations

Benefits will partner with the Talent Business Partner and, when necessary, the employee's manager, to implement the approved accommodation and monitor its effectiveness. Employees who receive accommodations are encouraged to reach out to **Benefits@eab.com** if there are changes or problems with an accommodation.

Helpful Resources

[JAN's Disability Awareness to Increase Your Comfort, Confidence, and Competence](#) (Video)

[What to say when an employee asks about a co-worker's accommodation](#) (Article)