

COMPLIANCE SNAPSHOT



Recognizing ADA Requests for Reasonable Accommodations

The Americans with Disabilities Act (ADA) requires employers with 15 or more employees to provide reasonable accommodations for employees and applicants with disabilities upon their request unless it would cause undue hardship on the business. As a general rule, an employer has an obligation to determine whether an accommodation may be made any time an employee or applicant who is otherwise qualified for a position requests **an adjustment or change to the workplace for a reason related to a medical condition**.

No Formalities Required

A request for accommodation does not have to come directly from an applicant or employee (but instead may be made by a representative), nor does it have to be in writing or include any specific language or reference to the ADA. In addition, an individual does not have to identify any specific accommodation in a request.

Workplace Barrier

An ADA request must describe problems posed by a workplace barrier that impedes an individual from participating in the job application process, performing the essential functions of a job, or enjoying benefits and privileges of employment equal to those enjoyed by employees without disabilities. This may be a physical obstacle (such as an inaccessible facility or piece of equipment) or a procedure or rule (such as a rule concerning when work is performed, when breaks are taken or how essential or marginal functions are performed).

Informal, Interactive Process

An ADA request triggers an employer's responsibility to work with the requesting individual in an informal, interactive process. The purpose of this process is to determine whether an accommodation may be made without causing undue hardship.

ADA Requests

Examples of requests that would trigger an employer's responsibilities under the ADA include:

- "I'm having trouble reaching tools because of my shoulder injury."
- "I need time off because my pain prevents me from working."
- "My wheelchair does not fit under the desk in my new office."

Not ADA Requests

Examples of requests that would not trigger an employer's responsibilities under the ADA include:

- "I would like a new chair because my present one is uncomfortable" (no link to a medical condition).
- "I have a mental disorder that causes me to behave erratically at work" (no change to a workplace barrier identified).

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