

# JAN

Job Accommodation Network

Practical Solutions • Workplace Success

## Accommodation and Compliance Series

### Nurses with Disabilities

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A service of the U.S. Department of Labor's Office of Disability Employment Policy

## Preface

The Job Accommodation Network (JAN) is a service of the Office of Disability Employment Policy of the U.S. Department of Labor. JAN makes documents available with the understanding that the information be used solely for educational purposes. The information is not intended to be legal or medical advice. If legal or medical advice is needed, appropriate legal or medical services should be contacted.

JAN does not endorse or recommend any products or services mentioned in this publication. Although every effort is made to update resources, JAN encourages contacting product manufacturers/vendors and service providers directly to ensure that they meet the intended purposes. This guarantees that the most up-to-date information is obtained.

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# **JAN'S ACCOMMODATION AND COMPLIANCE SERIES**

## **Introduction**

JAN's Accommodation and Compliance Series is designed to help employers determine effective accommodations and comply with Title I of the Americans with Disabilities Act (ADA). Each publication in the series addresses a specific medical condition or occupation and provides information about the condition or occupation, ADA information, accommodation ideas, and resources for additional information.

The Accommodation and Compliance Series is a starting point in the accommodation process and may not address every situation. Accommodations should be made on a case by case basis, considering each employee's individual limitations and accommodation needs. Employers are encouraged to contact JAN to discuss specific situations in more detail.

For information on assistive technology and other accommodation ideas, visit JAN's Searchable Online Accommodation Resource (SOAR) at <http://AskJAN.org/soar>.

## **Information about Nurses**

In the United States there are 2.6 million registered nurses (Bureau of Labor Statistics, 2008). The Department of Labor has predicted that the number of nurses in the workforce will grow by 582,000 to 3.2 million nurses by the year 2018 and that there will be over one million job openings due to growth and replacement needs between 2008 and 2018 (Bureau of Labor Statistics, 2008).

## **Nurses and the Americans with Disabilities Act**

### **Are nurses with medical conditions covered under the ADA?**

The ADA does not contain a list of medical conditions that constitute disabilities. Instead, the ADA has a general definition of disability that each person must meet (EEOC Regulations . . . , 2011). Therefore, some nurses with medical conditions will be covered under the ADA and some will not.

A person has a disability if he/she has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or is regarded as having such an impairment (ADAAA, 2008). For more information about how to determine whether a person has a disability under the ADA, visit Accommodation and Compliance Series: The ADA Amendments Act of 2008 at <http://AskJAN.org/bulletins/adaaa1.htm>.

## Accommodating Nurses with Disabilities

(Note: The following is only a sample of the possible accommodations available. Numerous other accommodation solutions may exist.)

### Questions to Consider:

1. What limitations is the nurse experiencing?
2. How do these limitations affect the nurse and the nurse's job performance?
3. What specific job tasks are problematic as a result of these limitations?
4. What accommodations are available to reduce or eliminate these problems? Are all possible resources being used to determine possible accommodations?
5. Has the nurse been consulted regarding possible accommodations?
6. Once accommodations are in place, would it be useful to meet with the nurse to evaluate the effectiveness of the accommodations and to determine whether additional accommodations are needed?
7. Do supervisory personnel and employees need disability awareness training?

### Accommodation Ideas:

**Cognitive Impairment** – Cognitive impairment, as used in this publication, refers to disturbances in brain functions, such as memory loss, problems with orientation, distractibility, perception problems, and difficulty thinking logically. Cognitive impairment is a syndrome, not a diagnosis. Many conditions can cause cognitive impairment, including multiple sclerosis, depression, alcoholism, Alzheimer's disease, Parkinson's disease, traumatic brain injury, chronic fatigue syndrome, and stroke.

#### Memory Deficits:

- Allow the employee to tape record meetings and provide written checklists
- Provide type written minutes of each meeting
- Provide written instructions and allow additional training time

#### Difficulty Reading and Writing:

- Use speech recognition or word-prediction software if handwriting is poor or difficult
- Use a personal data assistant to help with spelling
- Seek areas of employment where charting is done by computer or in settings where reading/writing may be decreased, for example in an operating room

- Use dictation equipment and/or scribes

**Motor Impairment** – Motor impairment, as used in the publication, refers to limitations in motor movements such as walking, lifting, sitting, standing, typing, writing, gripping, and maintaining stamina. Many conditions cause motor or mobility impairment, including multiple sclerosis, cancer, stroke, spinal cord injury, cumulative trauma disorder, back condition, arthritis, and heart condition.

Difficulty Lifting or Transferring Patients:

- Transfer aids
- Team lifting
- Height adjustable examination tables
- Walkup changing tables that allow a child to be assisted in climbing to the changing table/examination table height

Use of One Hand:

- One-hand syringes
- One-hand IV pole
- One-handed keyboards and keyboard software

Fatigue/Weakness:

- Reduce or eliminate physical exertion and workplace stress
- Shorten work day and extend work week
- Schedule periodic rest breaks away from the unit, floor, or workspace
- Allow a flexible work schedule and flexible use of leave time
- Implement ergonomic workstation design
- Provide a scooter or other mobility aid if walking cannot be reduced

Access to Building and Work Environment:

- Install ramps, automatic doors, and internal and bathroom doors that push open
- Lower shelves and provide access to file cabinets
- Provide preferred seating during training, classes, and meetings

Maintaining Clean Technique for Nurses Who use Wheelchairs:

- Wash and dry hands, apply two pairs of clean gloves, and maneuver to area
- Remove exterior pair of gloves
- Use a strap or belt to secure self in chair when leaning forward to assess patient, perform wound care, etc.

**Psychiatric Impairment** – Psychiatric impairment, also called "mental illness," refers collectively to all diagnosable mental disorders. Mental disorders are health conditions that are characterized by alterations in thinking, mood, and/or behavior. Examples of psychiatric impairments include depression, bipolar disorder, anxiety disorder, schizophrenia, and addiction.

Depression and Anxiety:

- Reduce distractions in work environment
- Provide to-do lists and written instructions
- Remind employee of important deadlines and meetings
- Allow time off for counseling
- Provide clear expectations of responsibilities and consequences
- Provide sensitivity training to co-workers
- Allow breaks to use stress management techniques
- Develop strategies to deal with work problems before they arise
- Allow telephone calls during work hours to doctors and others for support
- Provide information on counseling and employee assistance programs

Stress:

- Allow work during shifts that are less demanding
- Adjust supervisory method
- Have more frequent meetings to discuss performance
- Develop strategies to deal with work problems before they arise
- Employer may provide sensitivity training to coworkers
- Allow telephone calls during work hours to doctors or counselors and others for support
- Provide information on counseling and employee assistance programs

**Sensory Impairment** – Sensory impairment, as used in the publication, is any condition that affects hearing, speech, vision, or respiration.

Speech Impairments:

- Word prediction computer software
- Text telephones (TTY or TDD)

Vision Impairments:

*Monitoring Vital Signs*

- Talking thermometers
- Talking scales
- Talking blood glucose monitors
- Talking blood pressure monitors

- Talking watches

#### *Reading/Documentation*

- Provide signage in large print and Braille
- Text-enlargement computer software
- Hand or stand magnifiers for printed material
- Closed-circuit television (CCTV)
- Reduce glare via glare guards on computers and adjust lighting or blinds
- Electronic note-taking devices with speech or Braille output

Deaf/Hard of Hearing:

#### *Monitoring Vital Signs*

- Blood pressure monitors with displays showing pulse and blood pressure
  - Graphic auscultation systems
  - Equipment with digital displays
  - Vibrating alert to signal a monitor's alarm

#### *One-on-One Communication*

- Written notes
- Email, instant messaging, speech recognition software
- Interpreters
- Augmentative communication devices
- Basic sign language training
- Text telephones (TTY or TDD)

#### *Group Communication*

- Assistive listening devices
- Communication Access Realtime Translation (CART) services
- Computer-assisted note taking
- Tape recording meetings
- Video conferencing

#### *Telephone Communication*

- Amplification (enhancing volume)
- Clarity (adjusting sound frequency)
- Headsets; HATIS manufactures the only headset available that is specifically designed for use by individuals with a moderate to profound hearing loss and who wear behind the ear (BTE), t-coil equipped hearing aids. For more information regarding HATIS products, go to <http://www.hatis.com>.
- TTY or TDD

### *Responding to Fire or Emergency Alarms*

- Vibrating pagers
- Lights hard-wired to alarm system

### Allergies/Multiple Chemical Sensitivity:

- Modify or create a fragrance-free workplace policy
- Provide an air purification system
- Modify the workstation location
- Have an air quality test performed by an industrial hygiene professional to assess poor air quality, dust, mold or mildew accumulation, VOC concentration, etc.

### **Situations and Solutions:**

A nurse with bilateral hearing loss has been using an amplified stethoscope that requires her to take her hearing aids in and out. She called JAN seeking a stethoscope that will work with her hearing aids in. JAN referred the nurse to a company who makes a stethoscope that can be used with a direct audio input port. The stethoscope was purchased.

A nurse with fibromyalgia syndrome working in a county health clinic experienced a great deal of fatigue and pain at work. The nurse typically worked evening shifts but her doctor recommended a schedule change so she could regulate her sleep patterns. Accommodations suggestions included changing her shift from evening to day, restructuring the work schedule to eliminate working two consecutive twelve hour shifts, reducing the number of hours worked to part time, and taking frequent rest breaks.

A nurse with drug addiction was restricted from dispensing medication after she was caught using illegal drugs. Her employer had a policy allowing employees to participate in drug rehabilitation and return to work with a last chance agreement. When the nurse returned to work after rehabilitation, she was reassigned to a job that did not require her to dispense medication and given periodic drug tests.

An operating-room nurse with chronic fatigue syndrome had difficulty rotating schedules. She was accommodated with a permanent day schedule.

A resource nurse with multiple sclerosis needed changes to her workstation and schedule. The employer made the workstation wider and added an adjustable keyboard tray. The employer also allowed periodic rest breaks and moved the employee closer to the restroom and break room to help reduce fatigue.

A psychiatric nurse with cancer was experiencing difficulty dealing with job-related stress. He was accommodated with a temporary transfer and was referred to the employer's employee assistance program for emotional support and stress management tools.

A nurse with insulin-dependent diabetes and hypoglycemia was having problems regulating her condition (specifically, eating regularly while at work). Her schedule was altered by eliminating the evening rotation until her blood glucose levels could be controlled on a consistent basis. The employer reported this as a very effective accommodation. Cost of accommodation: none.

**Products:**

There are numerous products that can be used to accommodate people with limitations. JAN's Searchable Online Accommodation Resource at <<http://AskJAN.org/soar>> is designed to let users explore various accommodation options. Many product vendor lists are accessible through this system; however, JAN provides these lists and many more that are not available on the Web site upon request. Contact JAN directly if you have specific accommodation situations, are looking for products, need vendor information, or are seeking a referral.

## Resources

### **Job Accommodation Network**

West Virginia University  
PO Box 6080  
Morgantown, WV 26506-6080  
Toll Free: (800)526-7234  
TTY: (877)781-9403  
Fax: (304)293-5407  
jan@AskJAN.org  
<http://AskJAN.org>

The Job Accommodation Network (JAN) is a free consulting service that provides information about job accommodations, the Americans with Disabilities Act (ADA), and the employability of people with disabilities.

### **Office of Disability Employment Policy**

200 Constitution Avenue, NW, Room S-1303  
Washington, DC 20210  
Toll Free: (866)633-7365  
TTY: (877)889-5627  
Fax: (202)693-7888  
<http://www.dol.gov/odep/>

The Office of Disability Employment Policy (ODEP) is an agency within the U.S. Department of Labor. ODEP provides national leadership to increase employment opportunities for adults and youth with disabilities while striving to eliminate barriers to employment.

### **American Foundation for the Blind AFB Career Connect**

Toll Free: (888)824-2184  
<http://www.afb.org/Section.asp?SectionID=7>

AFB CareerConnect is a free resource for people who want to learn about the range and diversity of jobs performed by adults who are blind or visually impaired throughout the United States and Canada.

### **American Nurses Association**

8515 Georgia Avenue  
Suite 400  
Silver Springs, MD 20910  
Toll Free: (800)274-4262  
Direct: (301)628-5000  
Fax: (301)628-5001  
<http://www.nursingworld.org/>

The American Nursing Association is the only full service professional organization represented the nation's 2.9 million registered nurses(RNs) through its 54 constituent member associations. The ANA advances the nursing profession by fostering high standards of nursing practice, promoting the economic and general welfare of nurses in the workplace, projecting a positive and realistic view of nursing, and by lobbying the Congress and regulatory agencies on health care issues affecting nurses and the public.

### **Association of Medical Professionals with Hearing Losses**

secretary@amphl.org  
<http://www.amphl.org/about.php>

The Association of Medical Professionals with Hearing Losses provides information, promotes advocacy and mentorship, and network for individuals with hearing loss interested in or working in the health care fields.

### **Exceptional Nurse**

13019 Coastal Circle  
Palm Beach Gardens, FL 33410  
Direct: (561)627-9872  
TTY: (561)776-9442  
Fax: (561)776-9254  
ExceptionalNurse@aol.com  
<http://www.exceptionalnurse.com>

ExceptionalNurse.com is a resource network committed to inclusion of more people with disabilities in the nursing profession. By sharing information and resources, ExceptionalNurse.com hope to facilitate inclusion of students with disabilities in nursing education programs and foster resilience and continued practice for nurses who are, or become, disabled.

### **National Nurses Business Association**

P.O. Box 561081  
Rockledge, FL 32956-1081  
Toll Free: (877)353-8888  
Direct: (321)663-4610  
bemis@nnba.net  
<http://www.nnba.net>

An association promoting, supporting and educating nurses who are, or desire to be, in business for themselves.

**National Organization of Nurses with Disabilities**

1640 West Roosevelt Road  
Room 736  
Chicago, IL 60608  
Direct: (312)413-4097  
bmarks1@uic.edu  
<http://www.nond.org>

NOND is an open membership, cross-disability, public education, and advocacy organization that works to promote the full inclusion and acceptance of people with disabilities and chronic health conditions into nursing careers.

**Nurse Friendly, The**

38 Tattersall Drive  
Mantua, NJ 08051  
Direct: (856)415-9617  
info@nursefriendly.com  
<http://www.nursefriendly.com/disabled/>

Nursing and Healthcare directories for nurses with disabilities and more.

**Nurses House**

VMD Center for Nursing  
2113 Western Avenue, Suite 2  
Guilderland, NY 12084  
Direct: (518)456-7858  
Fax: (518)452-3760  
mail@NursesHouse.org  
<http://www.nurseshouse.org>

Extends short term financial assistance to registered nurses in a difficulty as a result of an injury, illness, or disability.

**Rehabilitation Institute of Chicago**

345 E. Superior Street  
Chicago, IL 60611  
Toll Free: (800)354-7342  
Direct: (312)238-1000  
TTY: (312)238-1059  
<http://www.ric.org>

RIC is a leader in patient-care, advocacy, research and educating health professionals in rehabilitation.

**Society for Healthcare Professionals with Disabilities**

info@DisabilitySociety.org

<http://www.disabilitysociety.org/>

The Society of Healthcare Professionals with Disabilities provides resources and support for disabled physicians, physician assistants, and students. The mission of the Society is to foster a supportive community and to provide resources and tools for disabled healthcare professionals and students, their family members, and their friends.

## References

Americans with Disabilities Act of 1990, as Amended, 42 U.S.C.A. § 12101 et seq.

(2008).

Bureau of Labor Statistics. (2008). November 2008 national occupational employment

estimates for registered nurses. Retrieved May 3, 2011, from

<http://data.bls.gov/oep/noeted?Action=empoccp>

EEOC Regulations to Implement the Equal Employment Provisions of the Americans

With Disabilities Act, as Amended, 29 C.F.R. § 1630 (2011).

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