

JAN

Job Accommodation Network

Practical Solutions • Workplace Success

Accommodation and Compliance Series

Employees with Fibromyalgia

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

Preface

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Authored by Beth Loy, Ph.D. Updated 09/29/14.

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 and provides information about the condition, 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 Fibromyalgia

How prevalent is fibromyalgia?

The exact prevalence of fibromyalgia in the U.S. population is as high as 5 million Americans ages 18 and older, with about 80-90% being women (Office of Women's Health, U.S. Department of Health and Human Services, 2012).

What is fibromyalgia?

Fibromyalgia is a disorder that causes aches and pain all over the body, highlighted by "tender points" throughout the body (Office of Women's Health, U.S. Department of Health and Human Services, 2012). These tender points are very small places on the neck, chest, shoulders, back, knees, hips, arms, and legs that hurt when any pressure is put on them.

What are the symptoms and associated syndromes of fibromyalgia?

Aches and pains are the most common symptoms of fibromyalgia. Usually starting at the neck and shoulders and spreading to other parts of the body over time, the pain varies according to the time of day, weather, sleep patterns, and stress level. People with fibromyalgia may also have cognitive and memory problems, fatigue, sleep disorder, irritable bowel syndrome, chronic headaches, skin and temperature sensitivity, cognitive impairment, depression and anxiety, and irritable bladder (Office of Women's Health, U.S. Department of Health and Human Services, 2012; Fibromyalgia Network, n.d.).

What causes fibromyalgia?

The cause of fibromyalgia remains elusive, but there are many triggering events thought to precipitate its onset. A few examples are an infection (viral or bacterial), an automobile accident; or the development of another disorder, such as rheumatoid arthritis, lupus, or hypothyroidism. These triggering events probably do not cause fibromyalgia, but rather, they may awaken an underlying physiological abnormality that is already present (Fibromyalgia Network, n.d.).

How is fibromyalgia treated?

The most effective treatment approaches for fibromyalgia symptoms use a combination of medications, non-drug therapies, and other strategies to reduce pain (Fibromyalgia Network, n.d.).

Fibromyalgia and the Americans with Disabilities Act

Is a fibromyalgia a disability 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 people with fibromyalgia will have a disability 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 Employees with Fibromyalgia

(Note: People with fibromyalgia may develop some of the limitations discussed below, but seldom develop all of them. Also, the degree of limitation will vary among individuals. Be aware that not all people with FMS will need accommodations to perform their jobs and many others may only need a few accommodations. The following is only a sample of the possibilities available. Numerous other accommodation solutions may exist.)

Questions to Consider:

1. What limitations is the employee with the fibromyalgia experiencing?
2. How do these limitations affect the employee and the employee'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 employee with the fibromyalgia been consulted regarding possible accommodations?
6. Once accommodations are in place, would it be useful to meet with the employee with fibromyalgia to evaluate the effectiveness of the accommodations and to determine whether additional accommodations are needed?
7. Do supervisory personnel and employees need training regarding fibromyalgia?

Accommodation Ideas:

Concentration Issues:

- Provide written job instructions when possible
- Prioritize job assignments
- Provide clear expectations of timelines
- Allow flexible work hours and allow a self-pace workload
- Allow periodic rest periods to reorient
- Provide memory aids, such as schedulers or organizers
- Minimize distractions
- Reduce job stress
- Allow access to music and/or white noise

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 general 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 or texting during work hours to doctors and others for support
- Provide information on counseling and employee assistance programs
- Provide flexible scheduling for adjustment periods (medication changes, modification of job tasks, inclement weather)

Fatigue/Weakness:

- Reduce or eliminate physical exertion and workplace stress
- Schedule periodic rest breaks away from the workstation
- Allow a flexible work schedule and flexible use of leave time
- Allow work from home
- Implement ergonomic workstation design

Fine Motor Impairment:

- Implement ergonomic workstation design
- Provide alternative computer access
- Provide alternative telephone access
- Provide arm supports
- Provide writing and grip aids
- Provide a page turner and a book holder
- Provide a note taker

Gross Motor Impairment:

- Modify the work-site to make it accessible
- Provide parking close to the work-site
- Provide an accessible entrance
- Install automatic door openers
- Move workstation close to other work areas, office equipment, break rooms, and accessible restrooms

Migraine Headaches:

- Provide task lighting
- Provide soft light bulb covers and color sleeves
- Use fluorescent diffusers
- Eliminate fluorescent lighting
- Use computer monitor glare guards
- Reduce noise with sound absorbent baffles/partitions, environmental sound machines, and headsets
- Provide alternate work space to reduce visual and auditory distractions
- Implement a "fragrance-free" workplace policy
- Provide air purification devices
- Allow flexible work hours and work from home
- Allow periodic rest breaks

Skin Sensitivity:

- Avoid infectious agents and chemicals
- Provide protective clothing
- Allow uniforms made of alternate material
- Reduce or eliminate dress codes (use of sunglasses, hat, athletic shoes)

Sleep Disorder:

- Allow flexible work hours and frequent breaks
- Allow work from home
- Provide quiet area for rest

Temperature Sensitivity:

- Modify work-site temperature
- Maintain the ventilation system
- Modify dress code
- Use fan/air-conditioner or heater at the workstation and redirect vents
- Allow flexible scheduling and work from home during extremely hot or cold weather
- Provide an office with separate temperature control

Situations and Solutions:

An administrative assistant with fibromyalgia working for a utility company reported neck pain and upper body fatigue. Her duties included typing, answering the telephone, and taking written messages. She was accommodated with a wireless telephone headset to reduce neck pain and eliminate the repetitive motion of lifting the telephone from the cradle, a portable angled writing surface and writing aids to take written messages, a copy holder to secure documents, and forearm supports to use when typing.

A nurse with fibromyalgia 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. Accommodation 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 guidance counselor for a large high school experienced severe bouts of irritable bowel syndrome, depression, and fatigue as a result of fibromyalgia. He experienced difficulty in opening the heavy doors to the entrance of the school and had to make frequent trips to the bathroom. The individual's employer complained that he was spending too much of his time away from his office and therefore was not available for students. The employer moved the employee's office to a location closer to the faculty restroom,

added an automatic entry system to the main doors, and allowed flexible leave time so the employee could keep appointments with his therapist.

An individual employed as a patient rights advocate had carpal tunnel syndrome and fibromyalgia. She had difficulty keyboarding, writing, and transporting supplies to presentations. The employer installed speech recognition software for word processing, provided her with writing aids, and gave her lightweight portable carts to assist with transporting materials.

Products:

There are numerous products that can be used to accommodate people with limitations. JAN's Searchable Online Accommodation Resource (SOAR) at <http://AskJAN.org/soar> is designed to let users explore various accommodation options. Many product vendor lists are accessible through this system; however, upon request JAN provides these lists and many more that are not available on the Web site. 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
Direct: (202)693-7880
TTY: (202)693-7881
Fax: (202)693-7888
infoODEP@dol.gov
<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 Fibromyalgia Syndrome Association, Inc.

PO Box 32698
7371 E Tanque Verde Rd
Tucson, AZ 85715
Direct: (520)733-1570
Fax: (520)290-5550
kthorson@afsafund.org
<http://www.afsafund.org>

The American Fibromyalgia Syndrome Association (AFSA) is the nation's leading nonprofit organization dedicated to funding research that accelerates the pace of medical discoveries to improve the quality of life for patients with fibromyalgia.

Arthritis Foundation

1330 W. Peachtree Street
Suite 100
Atlanta, GA 30309
<http://www.arthritis.org>

The Arthritis Foundation is committed to raising awareness and reducing the unacceptable impact of arthritis, a disease which must be taken as seriously as other chronic diseases because of its devastating consequences. The Arthritis Foundation is leading the way to conquer the nation's leading cause of disability through increased education, outreach, research, advocacy and other vital programs and services.

Centers for Disease Control and Prevention

1600 Clifton Rd
Atlanta, GA 30333
Toll Free: (800)232-4636
TTY: (888)232-6348
<http://www.cdc.gov>

The Centers for Disease Control and Prevention are dedicated to protecting the health and safety of people - at home and abroad, providing credible information to enhance health decisions, and promoting health through strong partnerships.

Fibromyalgia Information Foundation

PO Box 19016
Portland, OR 97280
<http://www.myalgia.com>

The Fibromyalgia Information Foundation (FIF) is a not-for-profit foundation, whose directors are University Researchers engaged in the management of fibromyalgia patients or fibromyalgia research. The major aim of FIF is to increase the public's understanding of fibromyalgia, by providing information that is based on scientifically validated research studies.

National Organization for Rare Disorders (NORD)

55 Kenosia Avenue
Danbury, CT 06813-1968
Toll Free: (800)999-6673
Direct: (203)744-0100
Fax: (203)798-2291
<http://www.rarediseases.org/>

NORD is a unique federation of voluntary health organizations dedicated to helping people with rare "orphan" diseases and assisting the organizations that serve them. NORD is committed to the identification, treatment, and cure of rare disorders through programs of education, advocacy, research, and service.

References

Americans with Disabilities Act of 1990, as Amended, 42 U.S.C.A. § 12101 et seq. (2008).

EEOC Regulations to Implement the Equal Employment Provisions of the Americans With Disabilities Act, as Amended, 29 C.F.R. § 1630 (2011).

Fibromyalgia Network. (n.d.). *Fibromyalgia faqs*. Retrieved from <http://www.fmnetnews.com/>

Office of Women's Health, U.S. Department of Health and Human Services. (2012). *Fibromyalgia fact sheet*. Retrieved from <http://www.womenshealth.gov/>

This document was developed by the Job Accommodation Network, funded by a contract from the U.S. Department of Labor, Office of Disability Employment Policy (#1605DC-17-C-0038). The opinions expressed herein do not necessarily reflect the position or policy of the U.S. Department of Labor. Nor does mention of tradenames, commercial products, or organizations imply endorsement by the U.S. Department of Labor.