

# JAN

Job Accommodation Network

Practical Solutions • Workplace Success

## Accommodation and Compliance Series

### Employees with Lupus

Job Accommodation Network  
PO Box 6080  
Morgantown, WV 26506-6080  
(800)526-7234 (V)  
(877)781-9403 (TTY)  
[jan@askjan.org](mailto:jan@askjan.org)  
[askjan.org](http://askjan.org)



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

## Preface

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Authored by Lisa Dorinzi, M.A. Updated 5/30/14.

# **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 Lupus**

### **How prevalent is lupus?**

The Lupus Foundation of America estimates that approximately 1,500,000 Americans have a form of lupus (Lupus Foundation of America, n.d.). Although lupus can affect men and women of all ages, nine out of every 10 lupus cases are in females. Lupus develops most often between ages 15 and 44 and is two to three times more common among African Americans, Hispanics, Asians, and Native Americans (Lupus Foundation of America, 2014.).

### **What is lupus?**

Lupus is a widespread and chronic autoimmune disease that, for unknown reasons, causes the immune system to attack the body's own tissue and organs, including the joints, kidneys, heart, lungs, brain, blood, or skin. The immune system normally protects the body against viruses, bacteria, and other foreign materials. In an autoimmune disease like lupus, the immune system loses its ability to tell the difference between foreign substances and its own cells and tissue. The immune system then makes antibodies directed against "self." There are several forms of lupus: cutaneous, systemic, drug-induced, neonatal, and overlap syndrome or mixed connective tissue disease (Lupus Foundation of America, 2014).

### **What are the symptoms of lupus?**

Although lupus can affect any part of the body, the most common symptoms are achy joints, frequent fevers, arthritis, fatigue, skin rashes, kidney problems, chest pain with deep breathing, a butterfly-shaped rash across the cheek and nose, photosensitivity, impaired vision, Raynaud's phenomenon, and seizures. No single set of symptoms is

uniformly specific to lupus and no laboratory test can prove lupus conclusively; symptoms may disappear for no apparent reason and remain in remission for weeks, months, or even years (Lupus Foundation of America, 2014).

### **What causes lupus?**

The cause of lupus is unknown, but researchers believe there is a genetic predisposition and environmental factors also play a role in triggering the disease. Some of the factors that may trigger lupus include infections, antibiotics, ultraviolet light, extreme stress, certain drugs, and hormones (Lupus Foundation of America, 2014).

### **How is lupus treated?**

Treatment approaches vary depending on the symptoms of each person. Because the characteristics and course of lupus may vary significantly among individuals, a thorough medical evaluation and ongoing medical supervision are essential to ensure proper diagnosis and treatment. Medications are often prescribed for people with lupus, depending on which organs are involved, and the severity of involvement (Lupus Foundation of America, 2014).

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

### **Is lupus 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 lupus 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 an impairment (EEOC Regulations . . . , 2011). For more information about how to determine whether a person has a disability under the ADA, visit <http://AskJAN.org/corner/vol05iss04.htm>.

## **Accommodating Employees with Lupus**

(Note: People with lupus 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 lupus 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 lupus 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 lupus been consulted regarding possible accommodations?
6. Once accommodations are in place, would it be useful to meet with the employee with lupus to evaluate the effectiveness of the accommodations and to determine whether additional accommodations are needed?
7. Do supervisory personnel and employees need training regarding lupus?

### **Accommodation Ideas:**

#### Activities of Daily Living:

- Allow work from home
- Allow flexible work schedule
- Allow use of a personal attendant at work
- Allow use of a service animal at work
- Make sure the facility is accessible
- Move workstation closer to the restroom
- Allow longer breaks
- Refer to appropriate community services
- Provide access to a refrigerator

#### Cognitive Impairment:

- Provide written job instructions when possible
- Prioritize job assignments
- Allow flexible work hours

- Allow periodic rest periods to reorient
- Provide memory aids, such as schedulers or organizers
- Minimize distractions
- Allow a self-paced workload
- Reduce job stress
- Provide more structure to assignments and deadlines

#### 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
- Provide a scooter or other mobility aid if walking cannot be reduced

#### Fine Motor Impairment:

- Implement ergonomic workstation design
- Provide alternative computer and telephone access
- Provide ergonomic tools and other adaptations
- 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
- Provide an accessible restroom and break room
- Provide an accessible route of travel to other work areas used by the employee
- Modify the workstation to make it accessible
- Adjust desk height if wheelchair or scooter is used
- Make sure materials and equipment are within reach range
- Move workstation close to other work areas, office equipment, and break rooms
- Provide carts and lifting devices

#### Photosensitivity:

- Minimize outdoor activities between the peak hours of 10:00 am and 4:00 pm
- Avoid reflective surfaces such as sand, snow, and concrete
- Provide clothing to block UV rays

- Provide “waterproof” sun-protective agents such as sun blocks or sunscreens
- Install low wattage overhead lights
- Provide task lighting
- Replace fluorescent lighting with LED, halogen, or natural lighting
- Eliminate blinking and flickering lights
- Install adjustable window blinds and light filters

#### Respiratory Difficulties:

- Provide adjustable ventilation
- Keep work environment free from dust, smoke, odor, and fumes
- Implement a "fragrance-free" workplace policy and a “smoke free” building policy
- Avoid temperature extremes
- Use fan/air-conditioner or heater at the workstation
- Redirect air conditioning and heating vents
- Provide adequate exhaust systems to remove fumes from office machines
- Allow individual to wear a respirator mask
- Allow work from home
- Provide air purifier or personal air supply

#### Seizure Activity:

- Eliminate the need to use sharp objects
- Eliminate blinking and flickering lights
- Replace fluorescent lighting with LED, halogen, or natural lighting
- Use computer monitor glare guards, adjust monitor intensity and color, and decrease the cursor speed of the mouse
- Provide protective clothing/equipment
- Modify job tasks requiring fine finger dexterity
- Allow flexible work hours
- Allow periodic rest breaks
- Allow work from home

#### Skin Irritations:

- Modify dress code
- Avoid infectious agents and chemicals
- Avoid invasive procedures
- Provide protective clothing

#### Stress Intolerance:

- Develop strategies to deal with work problems before they arise
- Provide sensitivity training to coworkers
- Allow telephone calls during work hours to doctors and others for support
- Provide information on counseling and employee assistance programs
- Restructure job to only include essential functions
- Allow the use of support animal

#### Temperature Sensitivity (including Raynaud's Phenomenon):

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

#### Vision Impairment:

- Magnify written material using hand/stand optical magnifiers
- Provide large print material, screen reading software, and large-size high resolution monitor
- Control glare by adding a glare screen to the computer
- Install proper office lighting
- Allow frequent rest breaks
- Provide qualified reader
- Implement voice output on office equipment

#### **Situations and Solutions:**

A teacher with lupus was restricted from extended periods of typing. She was having difficulty creating lesson plans. She was accommodated with speech recognition software, an alternative keyboard, and a trackball.

A corporate trainer with lupus had difficulty standing and walking when giving presentations. The individual was accommodated with a scooter for getting around the work-site and a stand/lean stool to support her weight when standing.

A claims representative with lupus was sensitive to fluorescent light in his office and to the radiation emitted from his computer monitor. The overhead lights were changed from fluorescent to broad spectrum by using a special filter that fit onto the existing light fixture. The individual was also accommodated with a glare guard and flicker-free monitor.

An engineer with lupus was having difficulty completing all of his work in the office due to fatigue. The individual was accommodated with frequent rest breaks, a flexible schedule, and work from home on a part-time basis.

An executive secretary with lupus had severe back pain due to arthritis. The individual was accommodated with an adjustable height workstation to alternate between sitting and standing, an adjustable keyboard and mouse tray, and an ergonomic chair with lumbar support.

A health care worker with lupus had low vision. She was having difficulty viewing her computer screen and paper copies. The individual was accommodated with a large monitor, screen magnification software, hand/stand magnifier for paper copies, and a closed circuit television system.

A systems analyst with lupus had migraine headaches. The individual was moved from a cubicle office to a separate workspace away from distractions and noise. She was then able to use task lighting instead of overhead fluorescent lighting and adjust the temperature control when necessary.

### **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  
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 Autoimmune Related Diseases Association**

American Autoimmune Related Diseases Association  
22100 Gratiot Ave.  
East Detroit, MI 48021-2227  
Toll Free: (800)598-4668  
Direct: (586)776-3900  
Fax: (586)776-3903  
<http://www.aarda.org>

The American Autoimmune Related Diseases Association is dedicated to the eradication of autoimmune diseases and the alleviation of suffering and the socioeconomic impact of autoimmunity through fostering and facilitating collaboration in the areas of education, public awareness, research, and patient services in an effective, ethical, and efficient manner.

**Arthritis Foundation**

1330 W. Peachtree Street.; Suite 100  
Atlanta, GA 30357-0669  
Toll Free: (800)283-7800  
Direct: (404)872-7100  
<http://www.arthritis.org>

The Arthritis Foundation's mission is to improve lives through leadership in the prevention, control and cure of arthritis and related diseases.

**Lupus Canada**

3555 14th Avenue, Unit #14  
Markham, Ontario L3R 0H5  
Toll Free: (800)661-1468  
Direct: (905)513-0004  
Fax: (905)513-9516  
[info@lupuscanada.org](mailto:info@lupuscanada.org)  
<http://www.lupuscanada.org>

Lupus Canada, as a national voluntary organization, in partnership with its members, promotes research to find the causes and a cure for lupus, advocates on behalf of the lupus community, facilitates and coordinates education and public awareness, and supports organizational growth and development.

**Lupus Foundation of America**

2000 L Street, NW  
Suite 410  
Washington, DC 20036  
Toll Free: (800)558-0121  
Direct: (202)349-1155  
Fax: (202)349-1156  
<http://www.lupus.org>

Lupus Foundation of America (LFA) is the main voluntary organization devoted to lupus. The LFA assists local chapters in providing services to people with lupus, works to educate the public about lupus, and supports lupus research. Through a network of more than 500 branches and support groups, the chapters provide education through information and referral services, health fairs, newsletters, publications, and seminars.

## **National Institute of Arthritis and Musculoskeletal and Skin Diseases**

National Institutes of Health  
1 AMS Circle  
Bethesda, MD 20892-3675  
Toll Free: (877)226-4267  
Direct: (301)495-4484  
TTY: (301)565-2966  
Fax: (301)718-6366  
NIAMSinfo@mail.nih.gov  
<http://www.niams.nih.gov>

The mission of the National Institute of Arthritis and Musculoskeletal and Skin Diseases is to support research into the causes, treatment, and prevention of arthritis and musculoskeletal and skin diseases, the training of basic and clinical scientists to carry out this research, and the dissemination of information on research progress in these diseases.

## **National Jewish Health**

1400 Jackson Street  
Denver, CO 80206  
Toll Free: (877)225-5654  
Direct: (303)388-4461  
<http://www.nationaljewish.org/>

National Jewish is the only medical and research center in the United States devoted entirely to respiratory, allergic, and immune system diseases, including asthma, tuberculosis, emphysema, severe allergies, AIDS, cancer, and autoimmune diseases such as lupus.

## **National Organization for Rare Disorders**

55 Kenosia Avenue  
PO Box 1968  
Danbury, CT 06813-1968  
Toll Free: (800)999-6673  
Direct: (203)744-0100  
TTY: (203)797-9590  
Fax: (203)798-2291  
orphan@rarediseases.org  
<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

EEOC Regulations To Implement the Equal Employment Provisions of the Americans

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

Lupus Foundation of America, Inc. (2014). *Get answers*. Retrieved May 30, 2014, from

<http://www.lupus.org/answers>

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