Preface

The Job Accommodation Network (JAN) is funded by a contract with the Office of Disability Employment Policy, 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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Updated 08/14/2019.
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 https://askjan.org/soar.

Information about Arthritis

Arthritis is a condition that includes inflammatory and noninflammatory diseases that affect the body's joints and connective tissue. Tendons, cartilage, blood vessels, and internal organs are also often affected. There are more than 100 different types of arthritis, but two of the more common are osteoarthritis and rheumatoid. Pain and swelling are often associated with arthritis.

Arthritis and the Americans with Disabilities Act

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. 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. For more information about how to determine whether a person has a disability under the ADA, see How to Determine Whether a Person Has a Disability under the Americans with Disabilities Act Amendments Act (ADAAA).

Accommodating Employees with Arthritis

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

Accommodation Ideas:

Limitations

Balancing

- Living Independently
  - Bath Chairs
  - Canes
  - Crutches
  - Grab Bars
  - Personal Safety and Fall Alert Devices
  - Rollators and Rolling Walkers
  - Scooters
  - Stair Assists
  - Stair Lifts
  - Swing Away Grab Bars
  - Toileting Aids
  - Walkers with Seats
- Walkers
- Moving Around
  - All-Terrain Scooters
  - All-Terrain Wheelchairs
  - Canes
  - Crutches
  - Personal Transportation and Mobility Products
  - Rollators and Rolling Walkers
  - Scooters
  - Stair Assists
  - Stair Lifts
  - Walkers with Seats
  - Walkers
- Working at Heights
  - Aerial Lifts
  - Fall Protection
  - Rolling Safety Ladders
- Working Safely
  - Anti-fatigue Matting
  - Evacuation Devices
  - Fall Protection
  - Padded Edging
  - Protective Eyewear

Decreased Stamina/Fatigue
- Aide/Assistant/Attendant
- Anti-fatigue Matting
- Elevating Wheelchairs
- Ergonomic Assessments
- Ergonomic Equipment
- Flexible Schedule
- Job Restructuring
• Periodic Rest Breaks
• Scooters
• Stand-lean Stools
• Telework, Work from Home, Working Remotely
• Walkers
• Wearable Anti-fatigue Matting
• Wheelchairs
• Worksite Redesign / Modified Workspace

Grasping
• Industrial
  • Anti-vibration Gloves
  • Anti-vibration Tool Wraps
  • Compact Material Handling
  • Ergonomic and Pneumatic Tools
  • Ergonomic Knives
  • Motorized Carts
  • Multi-Purpose Carts
  • Tool Balancers
• Office Equipment
  • Auto-dialers
  • Automated Filing Systems
  • Book Holders
  • Compact Material Handling
  • Door Knob Grips and Handles
  • Electric Scissors
  • Ergonomic Scissors
  • File Carousels
  • Filing Trays
  • Grip Aids
  • Hands-free Telephones
  • Headsets
• Left Hand-Dominant Keyboards
• One-Handed Keyboards
• Page Turners
• Motorized Carts
• Reachers
• Scribe/Notetaker
• Shoulder Rests for Telephone Handsets
• Writing Aids

• Other
• Aide/Assistant/Attendant
• Dental and Surgical Instruments
• Money Handling Products
• Mop Buckets
• Mops and Mop Handles
• Steering Grips

Handling/Fingering

• Industrial
• Anti-vibration Gloves
• Anti-vibration Tool Wraps
• Compact Material Handling
• Ergonomic and Pneumatic Tools
• Ergonomic Equipment
• Extra Grip Gloves
• Grip Aids
• Vacuum Pickup Tools

• Office Equipment
• Alternative Input Devices
• Alternative Keyboards
• Alternative Mice
• Articulating Keyboard Trays
• Book Holders
- Compact Material Handling
- Ergonomic Equipment
- Expanded Keyboards
- Forearm Supports
- Grip Aids
- Keyguards
- Miniature Keyboards
- Writing Aids
- Typing / Keyboarding Aids
- Speech Recognition Software
- Scribe/Notetaker
- Page Turners
- One-Handed Keyboards
- On-Screen Keyboards

- Other
  - Aide/Assistant/Attendant
  - Money Handling Products
  - Periodic Rest Breaks

Lifting
- Agriculture/Farm
  - Animal Lift Tables
  - Carts
  - Compact Mobile Cranes
  - Lift Gates

- Industrial
  - Aerial Lifts
  - Ball Transfer Tables
  - Battery Powered Lift Tables
  - Drum Handling
  - Engine Lifts and Lift Plates
  - Lift Gates
• Lift Tables
• Rolling Safety Ladders
• Stairclimbing Handtrucks
• Truck Mounted Cranes
• Vacuum Lifts
• Vehicle Lifts and Manipulators
• Winches and Chain Hoists
• Work Platforms

• Office or Retail Goods
  • Carts
  • Compact Material Handling
  • Ergonomic Assessments
  • Ergonomic Equipment
  • Height Adjustable Table Legs
  • Low Task Chair
  • Stairclimbing Handtrucks

• Other
  • Drywall and Wallboard Lifts
  • Ergonomic Equipment
  • Independent Living Aids
  • Job Restructuring
  • Lifters and Carriers for Mobility Aids
  • Lifting Aids
  • Manhole Cover Lifts
  • Periodic Rest Breaks
  • Power Lift IV Stands
  • Proper Lifting Techniques

• People
  • Accessible Baby Changing Stations
  • Adult Changing Tables
  • Adjustable Exam Tables
- Bath Chairs
- Evacuation Devices
- Large-Rated Wheelchair Lifts
- Patient Lifts (General)
- Pool Lifts
- Powered Bath Lifts
- Toileting Aids
- Transfer Aids
- Transfer Sheets
- Walk-up Changing Tables
- Wheelchair Lifts

Pain

- Industrial
  - Adjustable Workstations for Industrial Settings
  - Anti-fatigue Matting
  - Anti-vibration Gloves
  - Anti-vibration Seats
  - Anti-vibration Tool Wraps
  - Carts
  - Ergonomic Equipment
  - Fans
  - Ergonomic Assessments
  - Stand-lean Stools
  - Wearable Anti-fatigue Matting
  - Workstation Space Heaters

- Office Equipment
  - Adjustable Workstations for Office Settings
  - Alternative Keyboards
  - Alternative Mice
  - Carts
  - Chairs with Head Support
- Compact Material Handling
- Forearm Supports
- Anti-fatigue Matting
- Automatic Door Openers
- Ergonomic and Adjustable Office Chairs
- Ergonomic Assessments
- Ergonomic Equipment
- Fans
- Gooseneck and Other Telephone Holders
- Headsets
- Scribe/Notetaker
- Scooters
- Speech Recognition Software
- Supine Workstations
- Stand-lean Stools
- Wearable Anti-fatigue Matting
- Worksite Redesign / Modified Workspace
- Workstation Space Heaters
- Writing Aids

- Services
  - Aide/Assistant/Attendant
  - Service Animal

- Strategies
  - Flexible Schedule
  - Modified Break Schedule
  - Telework, Work from Home, Working Remotely

Photosensitivity
- Alternative Lighting
- Anti-Glare Filters for Fluorescent Lights
- Cubicle Doors, Shields, and Shades
- Fluorescent Light Tube Covers
• Full Spectrum or Natural Lighting Products
• LED Light Filters
• Lighting Gel Filters
• Sun/UV Protective Clothing
• Vehicle Window Tinting and Shades

Sitting
• Adjustable Pedicure Chairs
• Adjustable Workstations for Industrial Settings
• Adjustable Workstations for Office Settings
• Chairs and Stools for Medical Services
• Clean Room Stools
• Ergonomic and Adjustable Office Chairs
• Ergonomic Assessments
• Ergonomic Equipment
• Forward Leaning Chairs
• Headsets
• Large-Rated Chairs
• Low Task Chair
• Periodic Rest Breaks
• Stand-lean Stools
• Supine Workstations
• Treadmill / Pedal Workstations

Sleeping/Stay Awake
• Apps for Sleep/ Fatigue
• Flexible Schedule
• Modified Break Schedule
• Sleep Alerting Devices

Standing
• Adjustable Workstations for Industrial Settings
• Adjustable Workstations for Office Settings
- Anti-fatigue Matting
- Assist Lift Cushions
- Elevating Lift and Office Chairs
- Flexible Schedule
- Grab Bars
- Periodic Rest Breaks
- Scooters
- Stand Aids
- Stand-lean Stools
- Stand-up Wheelchairs
- Wearable Anti-fatigue Matting

Stress Intolerance
- Apps for Anxiety and Stress
- Behavior Modification Techniques
- Counseling/Therapy
- Environmental Sound Machines / Tinnitus Maskers / White Noise Machines
- Flexible Schedule
- Job Restructuring
- Marginal Functions
- Modified Break Schedule
- Supervisory Methods
- Support Animal
- Support Person

Temperature Sensitivity
- Air Deflectors
- Cold Resistant Gloves
- Cooling Clothing
- Fans
- Flexible Schedule
- Heated Clothing
• Heated Ergonomic and Computer Products
• Heated Gloves
• Portable Air Conditioners
• Telework, Work from Home, Working Remotely
• Vent Covers
• Workstation Space Heaters

Walking

• Scooters
• Walkers
• Wheelchairs

Work-Related Functions

Light

• Alternative Lighting
• Anti-Glare Filters for Fluorescent Lights
• Flexible Schedule
• Fluorescent Light Tube Covers
• Full Spectrum or Natural Lighting Products
• LED Light Filters
• LED Lighting
• Lighting Gel Filters
• Modified Lighting
• Non-Fluorescent Lighting
• Personal Visors
• Simulated Skylights and Windows
• Sun/UV Protective Clothing
• Telework, Work from Home, Working Remotely
• Transparent Window Shades
• UV Protection Shelters
• Vehicle Window Tinting and Shades

Parking
• Accessible Parking Space
• Flexible Schedule
• Telework, Work from Home, Working Remotely
• Wheelchairs

Stress
• Apps for Anxiety and Stress
• Behavior Modification Techniques
• Counseling/Therapy
• Flexible Schedule
• Job Restructuring
• Marginal Functions
• Modified Break Schedule
• Monitor Mirrors
• On-site Mentoring
• Service Animal
• Simulated Skylights and Windows
• Supervisory Methods
• Support Animal
• Support Person
• Telework, Work from Home, Working Remotely
• Uninterrupted Work Time

Temperature
• Air Deflectors
• Cold Resistant Gloves
• Cooling Clothing
• Fans
• Flexible Schedule
• Foot Warmers
• Heat Resistant Gloves
• Heated Clothing
• Heated Ergonomic and Computer Products
• Heated Gloves
• Modified Break Schedule
• Telework, Work from Home, Working Remotely
• Vent Covers
• Workstation Space Heaters

Work Site Access
• Accessible Toilets and Toilet Seats
• Adjustable Workstations for Industrial Settings
• Adjustable Workstations for Office Settings
• Alternative Locks
• Anti-fatigue Matting
• Braille and/or ADA Signage
• Building Accessibility Products
• Door Knob Grips and Handles
• Flexible Schedule
• Portable Ramps
• Ramps
• Scooters
• Service Animal
• Support Animal
• Telework, Work from Home, Working Remotely
• Wearable Anti-fatigue Matting
• Wheelchair Lifts
• Wheelchairs
• Worksite Redesign / Modified Workspace

Work Station Access
• Adjustable and Ergonomic School Desks and Equipment
• Adjustable Desk Top Workstations for Office Settings
• Adjustable Workstations for Industrial Settings
• Anti-fatigue Matting
• Articulating Keyboard Trays
• Assist Lift Cushions
• Chair Mats
• Chairs for Little People
• Chairs for People who are Tall
• Dual Monitors
• Elevating Lift and Office Chairs
• Ergonomic and Adjustable Office Chairs
• Ergonomic Equipment
• Expanded Keyboards
• Forearm Supports
• Forward Leaning Chairs
• Large-Rated Chairs
• Monitor Mirrors
• Monitor Risers
• Mousing Surfaces
• Stand-lean Stools
• Supine Workstations
• Work Platforms
• Zero Gravity (reclining) Chairs
Situations and Solutions:

A customer service representative with arthritis had difficulty typing for long periods. The individual was accommodated with an ergonomic keyboard and tablet computer.

A library assistant was limited in her ability to stand for long periods due to arthritis. To assist her when standing, the employer purchased a stand/lean stool.

A laborer in a warehouse was having difficulty standing for long periods due to ankylosing spondylitis. As an accommodation he was transferred to a position within the warehouse that allowed him flexibility to stand, walk, and sit, as he needed. The employer also purchased a heated cushion for his chair, gave him a stand/lean stool, and provided him with a cart.

A veteran with a service connected knee injury developed arthritis in the same knee and was having difficulty working at a kneeling height in his construction job. His employer purchased a kneeling device that was portable and worked on rough terrain.

A volunteer student aide with arthritis had trouble helping out on the playground when the weather turned cold. A volunteer student aide with arthritis had trouble helping out on the playground when the weather turned cold.

A meat trimmer with arthritis had difficulty standing for long periods. JAN provided information on anti-fatigue matting and stand/lean stools.

An individual with osteoarthritis and walking limitations had difficulty accessing the work-site. The employer contacted JAN asking for ways to improve access. JAN suggested an accessible parking space, office close to the entrance, and moving the individual closer to the common office equipment area.

A social worker with arthritis in her hands was having difficulty reading case summaries, manipulating paperwork, and taking notes. She was accommodated with a page turner, bookholder, writing aids, and the option to dictate reports to her clerical staff.

An insurance clerk with arthritis from systemic lupus erythematosus was experiencing pain in her back, neck, and hands from sitting for long periods of time doing computer work.
She was accommodated with speech recognition software, an ergonomic chair, and an adjustable sit/stand workstation.

**A machine operator with arthritis had difficulty turning control switches.**
The small tabs were replaced with larger cushioned knobs and he was given gloves with non-slip dot gripping. These modifications enabled him to grasp and turn the knobs more effectively and with less force.

**A receptionist with arthritis in his right hand due to an injury needed to input data into a computer.**
He was accommodated with a left-handed keyboard, an articulating keyboard tray, speech recognition software, a trackball, and office equipment for a workstation rearrangement.

**A vice president with osteoarthritis had difficulty maintaining her stamina during the workday.**
To accommodate the fatigue, she was given a flexible schedule and allowed to come in later when necessary. Her employer also provided her with a recliner for her office so she could take additional rest breaks throughout the day.

**A plant manager with arthritis was having difficulty moving throughout her plant to monitor assembly line workers.**
She was accommodated with a motorized scooter.

**A drafter with arthritis in his knees was having difficulty accessing his work-site.**
He was accommodated with a reserved parking space close to the building, a first floor office, and push pad activated power doors.

**A pharmacist was having difficulties standing for eight hours a day on a tile floor.**
This employee was responsible for filling prescriptions for medication. The work area was carpeted using extra padding, which assisted in reducing fatigue and a sit/stand/lean stool was purchased to assist employee when standing. Employee was also permitted to take frequent rest breaks throughout the day. This was possible since the employee cut his lunch hour down to 30 minutes, which provided him with 30 minutes that could be used at other times of the day whenever a break was needed. Also another pharmacist was available to cover his breaks.

**Products**

There are numerous products that can be used to accommodate people with limitations. JAN’s Searchable Online Accommodation Resource at [https://askjan.org/soar](https://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: (304) 293-7186
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
odep@dol.gov
http://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**
22100 Gratiot Ave.
East Detroit, MI 48021
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, research, and patient services in an effective, ethical, and efficient manner.

**American Chronic Pain Association**
P.O. Box 850
Rocklin, CA 95677-0850
Toll Free: (800) 533-3231
Fax: (916) 632-3208
ACPA@theacpa.org
http://www.theacpa.org

The purpose of the American Chronic Pain Association is to facilitate peer support and education for individuals with chronic pain and their families so that these individuals may live more fully in spite of their pain.

**American Physical Therapy Association**

MoveForwardPT.com is the official consumer information website of the American Physical Therapy Association.

**American Society for Surgery of the Hand**
822 W. Washington Boulevard
Chicago, IL 60607
Direct: (312) 880-1900
Fax: (847) 384-1435
info@assh.org
http://www.assh.org

The mission of the American Society for Surgery of the Hand (ASSH) is to advance the science and practice of hand and upper extremity surgery through education, research and advocacy on behalf of patients and practitioners.
Arthritis Foundation
1330 W. Peachtree Street
Suite 100
Atlanta, GA 30309
Direct: (404) 872-7100
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.

Back.com
710 Medtronic Parkway
Minneapolis, MN 55432-5604
Toll Free: (800) 633-8766
http://www.back.com/index.htm

Back.com is an educational site for people with chronic pain and/or back pain. It was created to help support people with questions about surgical options, and to provide information on options for chronic pain treatment and relief.

Centers for Disease Control and Prevention
1600 Clifton Rd
Atlanta, GA 30333
Toll Free: (800) 232-4636
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.
The Institute for Chronic Pain is an educational and public policy think tank whose mission is to change the culture of how chronic pain is treated. We engage in research, development, and promotion of scientifically accurate information related to the field of chronic pain management. We do so by bringing together thought leaders from around the world to provide academic-quality information that is approachable to all stakeholders in the field, particularly, patients, their families, and society, more generally. The staff and fellows of the Institute are specialists in chronic pain management as well as healthcare policy and management.

MedlinePlus
8600 Rockville Pike
Bethesda, MD 20894
custserv@nlm.nih.gov
https://www.nlm.nih.gov/medlineplus/

MedlinePlus is the National Institutes of Health's Web site for patients and their families and friends. Produced by the National Library of Medicine, the world’s largest medical library, it brings you information about diseases, conditions, and wellness issues in language you can understand. MedlinePlus offers reliable, up-to-date health information, anytime, anywhere, for free.

Created by the U.S. National Library of Medicine

National Center for Biotechnology Information
8600 Rockville Pike
Bethesda, MD 20894
pubmedcentral@ncbi.nlm.nih.gov

MISSION: IMS brings together an international community of health care professionals, researchers, educators, and others to improve care and transform delivery of treatment to those suffering from soft tissue pain through the promotion and exchange of globally recognized research, education, and innovation in patient care.
The National Fibromyalgia & Chronic Pain Association (NFMCPA) is a 501(c)3 not for profit organization. We support people with chronic pain illnesses and their families and friends by contributing to caring, professional, and community relationships. Through continuing education, networking with support groups and advocates, and affiliation with professional organizations, the members of the NFMCPA have a place to be informed, get involved, and recognize achievements.

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.
At NIA, our mission is to discover what may contribute to a healthy old age as well as to understand and address the disease and disability sometimes associated with growing older. In pursuit of these goals, our research program covers a broad range of areas, from the study of basic cellular changes that occur with age to the examination of the biomedical, social, and behavioral aspects of age-related conditions, including Alzheimer’s disease.

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.
The National Osteoporosis Foundation (NOF) is the leading health organization dedicated to preventing osteoporosis and broken bones, promoting strong bones for life and reducing human suffering through programs of public and clinician awareness, education, advocacy and research.

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OrthoInfo is a trusted source of information about musculoskeletal conditions and injuries — how they are treated, as well as how they can be prevented. Our articles and videos are developed by orthopaedic surgeons who are members of the American Academy of Orthopaedic Surgeons. All of the content on our website is peer-reviewed by physician members of the OrthoInfo Editorial Board who are experts in their fields. This peer-review process ensures the accuracy and completeness of our content.

Remedy's Health Communities
http://www.healthcommunities.com

Remedy Health Media is America’s fastest growing health information and technology company. We are a leading provider of clinical resources and wellness tools that help millions of patients and caregivers live healthier, more fulfilled lives.

Our mission is to empower patients and caregivers with the information and applications needed to efficiently navigate the healthcare landscape and as a result, to permit better health outcomes through use of our products and services.
The Rheumatoid Arthritis Support Network (RASN) is dedicated to providing up-to-date information and resources for rheumatoid arthritis patients. Our goal is simple. We want RA patients to know their options and fully understand their diagnosis. You can take steps, right now, to improve symptoms and your quality of life.

The Hand and Wrist Institute is one of the region’s leading medical practices dedicated solely to the diagnosis, treatment and care of hand, wrist and upper extremity injuries, deformities and disorders.
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.