

JAN

Job Accommodation Network

Practical Solutions • Workplace Success

Accommodation and Compliance Series

Accommodation and Compliance Series: Employees with Fragrance Sensitivity

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Preface

The Job Accommodation Network (JAN) is funded by a grant from 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.

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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 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 Fragrance Sensitivity

Fragrance sensitivity is either an irritation or an allergic reaction to some chemical, or combination of chemicals, in a product. Although perfumes and colognes are generally what come to mind when discussing fragrance sensitivity, fragrance is often added to a variety of daily use items including but not limited to toiletries, cosmetics, air fresheners, cleaning products, and pesticides. Ingredients used in fragrance are not required to be disclosed on labels, which can make it difficult to identify the ingredient or product that is responsible for the sensitivity. Regardless of what the specific allergen is or whether it has been identified, common reactions to exposure include headaches, respiratory problems, asthma, and skin irritations.

There are two types of allergy symptoms due to fragrance sensitivity - respiratory or skin allergy symptoms. Symptoms of fragrance sensitivity can include headaches, nausea, and a skin allergy like contact dermatitis, which causes redness, itching, and burning. Watery, itching, burning, and red eyes; sneezing; runny nose; and congestion are also common. In some cases, individuals experience breathing difficulties, such as wheezing, a tight feeling in the chest, or worsening of asthma symptoms. Frequency and level of sensitivity can differ from one individual to another and identifying the exact cause of the irritation or allergy can be difficult because of the complex chemical formulas in many everyday use products.

The potential for exposure can be high as fragrances are added to of everyday products, and there has been an increase in the amount of time spent in indoor environments. Those with asthma, allergies, or other respiratory disorders may be more susceptible to the effects of fragranced products. The best way to prevent fragrance

sensitivity is to remove, block, or avoid the offending substance. Discussing the fragrance sensitivity with people at work and at home also can help to limit exposure to other people's fragrances.

Because there is no requirement for manufacturers to list all the ingredients in their products, finding a product that is truly fragrance free can be challenging. Even some products that are labeled as being "unscented" or "fragrance free" contain herbal ingredients or oils from botanicals. The U.S. Environmental Protection Agency's (EPA) Design for the Environment (DfE) program helps identify cleaning and other products that have been determined to be effective and safer for human health and the environment. These products carry the DfE label and a list of all partners and products recognized under the [DfE Safer Product Labeling Program](#).

When dealing with fragrance sensitivity, there are really three main options to consider as accommodations:

1) Remove the offending fragrances.

When possible, an employer should try to remove the offending fragrance, especially if the fragrance is unique to the work environment, minimal, and/or the employer has more control over it. However, as mentioned earlier, under the ADA it is probably not reasonable for an employer to have and enforce a total no-fragrance policy because it is difficult if not impossible to enforce, especially if non-employees such as clients and volunteers come into the workplace.

2) Remove the employee from the area where the fragrances are located.

When it is not possible to remove the offending fragrance, an employer may be able to move the employee away from the fragrance. This usually means working at home or in a private office with no exposure to coworkers, clients, or other members of the public. Regarding work at home, unless the employee wants to work at home, other options should be explored first to keep the employee in the workplace.

3) Reduce the employee's exposure to the fragrances.

If the offending fragrance cannot be removed and the employee cannot be moved completely away from the fragrance, it may be possible to reduce the employee's exposure to an acceptable level. This usually means a private office with its own ventilation and minimum exposure to others. It can also mean allowing the individual to wear a mask or respirator. Some individuals are able to wear masks/respirators while others are not or may not be comfortable wearing them. Employers should keep in mind that they cannot force an employee to use a mask/respirator.

Sample Policy Language:

The following are examples of fragrance-free workplace policy statements.

- Anonymous City Law Enforcement Agency Policy: "To reasonably accommodate bureau employees who have written memoranda documenting chemical sensitivity to perfume, employees will wear no perfume or cologne during business hours when they are scheduled to be within the bureau during their shift. This policy will not affect those bureau employees who are in an off-site training class, on city business, or out of the office for an entire shift."
- Anonymous Employer: "(Name of employer) strives to ensure the comfort and safety of staff and visitors by encouraging a smoke free and fragrance free environment."
- Anonymous State Community Development Agency, Employee Administrative Bulletin: "Given that chemically sensitive individuals may react to different products with widely varying degrees of severity, it is very difficult to ensure a consistently comfortable and accommodating work environment under every conceivable set of circumstances. Even so, it is the general consensus of the Labor/Management Committee and the desire of the (company name) to minimize to the extent possible the barriers and difficulties experienced in the workplace by both employees and clients subject to chemical/fragrance sensitivities. The (company name) requests that all offices and spaces used by the staff and their visitors remain free of chemical-based scented products."
- Anonymous Employer, Staff Memo from Executive Director: "I ask that we refrain from applying spray colognes, hairsprays, and or air fresheners in the office, as the use of such products may trigger allergic reactions and create health problems."
- Anonymous Employer, Administrative Manual Policy, Subject: Employee Appearance: "Cologne, perfume, aftershave lotions, scented lotions, or body washes are not to be worn in the Medical Center."
- State Protection and Advocacy Agency: "This is a fragrance free office. Thank you for not wearing any of the following: cologne, after shave lotion, perfume, perfumed hand lotion, fragranced hair products, and/or similar products. Our chemically-sensitive co-workers and clients thank you."
- Anonymous Employer: "This is a fragrance free office. Please help us to accommodate our co-workers and clients who are chemically sensitive to fragrances and other scented products. Thank you for not wearing perfume, aftershave, scented hand lotion, fragranced hair products, and or similar products."

- Anonymous Employer, Memo to All Staff: "You may have noticed the signs up on the front door and on the library doors stating that this is a fragrance-free office. Please cooperate with this request because there are several of us on staff and visitors to our office who are chemically sensitive to varying degrees. Our bodies have a hard time when we come into contact with a variety of chemicals and each episode takes its toll on our bodies. Please use only unscented products during work hours. This does not include deodorant or bath soap at this time."
- U.S. Access Board: "Under this policy, the Board requests that all participants refrain from wearing perfume, cologne, and other fragrances, and use unscented personal care products in order to promote a fragrance-free environment. This request is included in notices and on displayed signage for the Board's meetings, hearings, and other public events. In addition, the Board will work with the operators of meeting sites to prevent the use of deodorizers and cleaning products immediately before the event in and around meeting locations."

Fragrance Sensitivity 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 Fragrance Sensitivity

People with fragrance sensitivity 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 fragrance sensitivity 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. 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?
6. Do supervisory personnel and employees need training?

Accommodation Ideas:

Limitations

Respiratory Distress/Breathing Problem

- Air Cleaners & Purifiers
- Air Cleaners - Chemical/Odor Removal
- Air Cleaning Systems
- Air Purifiers for Multiple Chemical Sensitivity
- Alternative Cleaning Supplies
- Augmentative and Alternative Communication (AAC) Device
- Carpet Alternatives, Sealants, and Sustainable Flooring
- Escape Hoods
- Flexible Schedule
- Floor Cleaning/Stripping Products - Chemical Sensitivity
- Low/No Odor Paints and Stains
- Mask Brackets and Frames
- Masks - Respirator
- Masks – General/Chemical/Allergen
- Odor Control
- Outgoing Voice Amplification - Telephone
- Personal Air Cleaner (Neckworn)
- Personal On-Site Paging Devices
- Powered Air Purifying Respirator (PAPR)
- Telework, Work from Home, Working Remotely
- Voice Amplification

Work-Related Functions

Air Quality/Irritants

- Air Cleaners & Purifiers
- Air Cleaners - Chemical/Odor Removal
- Air Cleaning Systems
- Air Purifiers - No Ozone
- Air Purifiers for Multiple Chemical Sensitivity
- Alternative Cleaning Supplies
- Carpet Alternatives, Sealants, and Sustainable Flooring
- Escape Hoods
- Flexible Schedule
- Floor Cleaning/Stripping Products - Chemical Sensitivity
- Low/No Odor Paints and Stains
- Mask Brackets and Frames
- Masks - Respirator
- Masks – General/Chemical/Allergen
- Odor Control
- Personal Air Cleaner (Neckworn)
- Powered Air Purifying Respirator (PAPR)
- Telework, Work from Home, Working Remotely

Policies

- Additional Training Time / Training Refreshers
- Aide/Assistant/Attendant
- Environmental Sound Machines / Tinnitus Maskers / White Noise Machines
- Flexible Schedule
- Marginal Functions
- Modified Break Schedule
- Periodic Rest Breaks
- Physical/Social Distancing Signage
- Policy Modification

- Reassignment
- Service Animal
- Sleep Alerting Devices
- Strobe Lights
- Supervisory Methods
- Support Animal
- Telework, Work from Home, Working Remotely
- Touchless Faucets

Situations and Solutions:

A clerical employee was having difficulty breathing due to coworker fragrances and new carpet fumes.

The employee was placed in a more enclosed cubicle with an air purification system, coworkers were asked to decrease or eliminate the use of fragrances, and time the employee spent in the office was reduced by altering face-to-face communication with coworkers to telephone, e-mail, or fax. It was also suggested that the carpet be detoxified or removed and replaced with a non-toxic floor covering like tile or wood.

A healthcare worker requested that the employer implement a fragrance free environment as an accommodation.

Although the employer could not guarantee that all fragrances would be eliminated, the employer purchased an air purifier, asked certain employees who wore heavy scents to refrain from doing so, and the employee was allowed to take breaks to get fresh air if exposed.

A local government employee requested accommodations due to fragrance sensitivity.

The employer purchased an air purifier, custodians were instructed to use non-scented janitorial products, and areas of a public facility were designated as non-scented/fragrance-free zones. The employer educated all employees on refraining from wearing fragrances on the job. The employee was also permitted to work from home one day per week.

A state employer had received requests from employees with fragrance sensitivity who worked in various positions and with the public.

The employer implemented a fragrance free workplace policy for employees, placed posters around the facility to educate both employees and visitors about fragrance sensitivity, and provided masks for employee's who would like to wear them.

A police officer experienced migraines that were triggered by fragrances.

The employer allowed the employee to work a modified schedule and assigned them to low volume areas where it would be less likely that the individual would come into contact with people wearing fragrances.

A receptionist requested to wear a mask due to fragrance sensitivity.

The employer initially agreed to this but the surgical mask scared some of the clients and was impacting their ability to work. A decorative mask cover was located that made the surgical mask look less intimidating.

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> 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
<https://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
<https://www.dol.gov/agencies/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.

Chemical Sensitivity Foundation

P.O. Box 283
Topsham, ME 04086
<http://www.chemicalsensitivityfoundation.org/>

The primary goal of the Chemical Sensitivity Foundation, a 501(c)3 nonprofit foundation, is to raise public awareness about multiple chemical sensitivity (MCS). The following

two videos will help viewers understand this condition that is making it extremely difficult for large numbers of people to remain in the workforce or find a safe place to live.

Environmental Health Network

P.O. Box 1155
Larkspur, CA 94977-1155
Direct: (415) 541-5075
<http://ehnca.org/>

Environmental Health Network (EHN) was one of the first organizations to support and advocate on behalf of the chemically injured. EHN has a Support and Information Line (SAIL), a newsletter, The New Reactor, and a Website with extensive resources pertaining to chemical injury, including fragrance sensitivity.

Indoor Air Quality Information

1200 Pennsylvania Avenue, NW
Mail Code 6609T
Washington, DC 20460
Toll Free: (800) 490-9198
Fax: (301) 604-3408
nscep@bps-lmit.com
<http://www2.epa.gov/indoor-air-quality-iaq>

Indoor Air Quality (IAQ) refers to the air quality within and around buildings and structures, especially as it relates to the health and comfort of building occupants. Understanding and controlling common pollutants indoors can help reduce your risk of indoor health concerns.

Invisible Disabilities Association

P.O. Box 4067
Parker, CO 80134
<http://invisibledisabilities.org/>

The Invisible Disabilities Association (IDA) encourages, educates and connects people and organizations touched by illness, pain and disability around the globe. Formerly

known as The Invisible Disabilities Advocate, IDA was founded in 1996 and incorporated in 2004 as a 501(c)(3) non-profit

National Center for Biotechnology Information

8600 Rockville Pike
Bethesda, MD 20894
pubmedcentral@ncbi.nlm.nih.gov
<https://www.ncbi.nlm.nih.gov/>

The National Center for Biotechnology Information advances science and health by providing access to biomedical and genomic information.

Women for a Healthy Environment

5877 Commerce St
Pittsburgh, PA 15206
Direct: (412) 404-2872
Fax: (412) 420-4450
info@WomenForAHealthyEnvironment.org
<http://www.womenforahealthyenvironment.org>

We are a representation of women from western Pennsylvania. Some of us are community volunteers; some of us represent concerned non-profit organizations; and some of us represent area foundations and corporations; all of us are interested in making western Pennsylvania as strong and healthy as it can be. Women for a Healthy Environment focuses on educating the general public on issues associated with food and consumer product safety, including sources of possible exposure to environmental toxins. We also collaborate with like-minded organizations to raise awareness on various water quality and air quality issues in our region.

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