

JAN

Job Accommodation Network

Practical Solutions • Workplace Success

Accommodation and Compliance Series

Accommodation and Compliance Series: Obesity

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Funded by a contract with the Office of Disability
Employment Policy, U.S. Department of Labor

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.

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 02/07/2024.

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 Obesity

Obesity is used to describe a person that is above their ideal weight by about 20% or more. This can correspond with a BMI (Body Mass Index) of 30+. In addition to behavioral and dietary patterns, other things can influence a person's weight, from genetics to medications to illnesses. Obesity is associated with gallstones, osteoarthritis, sleep apnea, and respiratory conditions. It can also increase the chances of health problems like diabetes, high blood pressure, stroke, and heart disease. The risk of certain cancers, such as breast, colon, kidney, liver, and others can also be increased with obesity.

Obesity and the Americans with Disabilities Act

The ADA does not contain a definitive list of medical conditions that constitute disabilities. Instead, the ADA defines a person with a disability as someone who (1) has a physical or mental impairment that substantially limits one or more "major life activities," (2) has a record of such an impairment, or (3) is regarded as having such 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 Obesity

People with obesity 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 obesity 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

Body Size

- Large-Rated Harnesses
- Large-Rated Ladders
- Large-Rated Scooters
- Large-Rated Small Step Ladders
- Large-Rated Toilet
- Large-Rated Wheelchair Lifts
- Large-Rated Wheelchairs
- Walkers for Tall Individuals

Decreased Stamina/Fatigue

- Accessories for Scooters

- Aide/Assistant/Attendant
- All-Terrain Scooters
- Anti-fatigue Matting
- Elevating Wheelchairs
- Ergonomic and Pneumatic Tools
- Ergonomic Assessments
- Ergonomic Equipment
- Examination and Procedures Chair
- Flexible Schedule
- Head Support for Wheelchairs
- Job Restructuring
- Low Task Chair
- Mechanic's Seats and Creepers
- Multi-Purpose Carts
- Periodic Rest Breaks
- Scooters
- Stand-lean Stools
- Stools for Cutting Hair
- Telework, Work from Home, Working Remotely
- Walkers
- Wearable Anti-fatigue Matting
- Wheelchair Accessible Scales
- Wheelchair Mounts
- Wheelchairs
- Worksite Redesign / Modified Workspace

Overall Body Weakness/Strength

- Lifting/Moving
 - Animal Lift Tables
 - Battery Powered Lift Tables
 - Compact Material Handling
 - Lift Tables

- Linen Carts
 - Multi-Purpose Carts
 - Patient Lifts (General)
- Other/Services
 - Aide/Assistant/Attendant
 - Modified Break Schedule
 - Periodic Rest Breaks
 - Telework, Work from Home, Working Remotely
- Personal Mobility
 - Elevating Wheelchairs
 - Fall Protection
 - Foldable / Transport Wheelchairs
 - Independent Living Aids
 - Large-Rated Scooters
 - Large-Rated Wheelchairs
 - Personal Safety and Fall Alert Devices
 - Personal Transportation and Mobility Products
 - Power Assist for Manual Wheelchairs
 - Scooters
 - Stand-up Wheelchairs
 - Walkers
 - Walkers with Seats
 - Wheelchairs
- Work Space Access
 - Adjustable and Ergonomic School Desks and Equipment
 - Anti-fatigue Matting
 - Ergonomic and Adjustable Office Chairs
 - Ergonomic Equipment
 - Forearm Support
 - Grab Bars
 - Office Chairs with Brakes and Locking Casters

- Stair Lifts
- Stand-lean Stools
- Toileting Aids
- Wearable Anti-fatigue Matting
- Worksite Redesign / Modified Workspace

Walking

- Aide/Assistant/Attendant
- All-Terrain Scooters
- All-Terrain Wheelchairs
- Anti-fatigue Matting
- Foldable / Transport Wheelchairs
- Large-Rated Scooters
- Large-Rated Wheelchairs
- Personal Transportation and Mobility Products
- Reclining Wheelchairs
- Rollators and Rolling Walkers
- Telework, Work from Home, Working Remotely
- Scooters
- Walkers
- Walkers for Tall Individuals
- Walkers with Seats
- Wearable Anti-fatigue Matting
- Wheelchairs
- Worksite Redesign / Modified Workspace

Work-Related Functions

Safety Standards

- Additional Training Time / Training Refreshers
- Aerial Lifts
- Custom Shoes
- Evacuation Devices

- Fall Protection
- Large-Rated Harnesses
- Large-Rated Ladders
- Seat Belts & Seat Belt Extenders
- Workplace Safety

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

Situations and Solutions:

The following situations and solutions are real-life examples of accommodations that were made by JAN customers. Because accommodations are made on a case-by-case basis, these examples may not be effective for every workplace but give you an idea about the types of accommodations that are possible.

A janitor with obesity was concerned about climbing a ladder to change light bulbs because the ladder was not rated to hold his weight.

The employer purchased a large-rated ladder for his use.

A salesman with obesity had to travel by airplane once a year to attend a conference, but could not fit in a single, economy class seat.

He asked his employer to upgrade him to first class, but the employer opted to purchase two economy class seats for him, which cost less than one first class ticket.

A social worker with obesity had to do home visits, but had difficulty getting into clients' homes when she had to climb many steps.

She asked her employer to only assign her to clients whose homes did not have steps. The employer was not able to do this without an undue hardship so offered the employee a reassignment to a social work position that did not require home visits.

An attorney with obesity had to leave the office frequently to go to court and often could not find close parking when she returned to the office

She had difficulty walking long distances so the employer gave her a reserved parking space close to the worksite.

During the holiday season an employer hosts an employee appreciation luncheon.

An employee with gastroesophageal reflux disease (GERD) and obesity was on a restrictive diet, which included avoiding foods and drinks that triggered severe symptoms. In addition to the food typically provided for the event, the employer agreed to work with the catering company to develop additional dishes that the employee would be able to eat. This accommodation benefited others with similar sensitivities to food.

An office worker with obesity was having back pain, which was aggravated by sitting in an office chair that was not large enough.

The employer purchased a large-rated chair for her.

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.

American College of Gastroenterology

6400 Goldsboro Road,
Suite 200
Bethesda, MD 20817
Direct: (301) 263-9000
info@acg.gi.org
<http://gi.org/>

The American College of gastroenterology was founded in 1932 to advance the study and medical treatment of disorders of the gastrointestinal tract. Our mission is to advance world-class care for patients with gastrointestinal disorders through excellence, innovation and advocacy in the areas of: Scientific investigation, Education, Prevention, and Treatment

American Occupational Therapy Association

6116 Executive Boulevard, Suite 200

North Bethesda, MD 20852-4929

Direct: (301) 652-6611

members@aota.org

<https://www.aota.org/>

The American Occupational Therapy Association (AOTA) is the national professional association established in 1917 to represent the interests and concerns of occupational therapy practitioners and students of occupational therapy and to improve the quality of occupational therapy services.

American Physical Therapy Association

<http://www.moveforwardpt.com/Default.aspx>

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

American Psychological Association

750 First Street NE

Washington, DC 20002

Toll Free: (800) 374-2721

Direct: (202) 336-5500

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

Our mission is to advance the creation, communication and application of psychological knowledge to benefit society and improve people's lives.

Centers for Disease Control and Prevention

1600 Clifton Rd
Atlanta, GA 30333
Toll Free: (800) 232-4636
<https://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.

Eunice Kennedy Shriver National Institute of Child Health and Human Development

31 Center Drive
Building 31, Room 2A32
Bethesda, MD 20892-2425
Toll Free: (800) 370-2943
Fax: (866) 760-5947
NICHDInformationResourceCenter@mail.nih.gov
<http://www.nichd.nih.gov/Pages/index.aspx>

The mission of the NICHD is to ensure that every person is born healthy and wanted, that women suffer no harmful effects from reproductive processes, and that all children have the chance to achieve their full potential for healthy and productive lives, free from disease or disability, and to ensure the health, productivity, independence, and well-being of all people through optimal rehabilitation.

Eunice Kennedy Shriver National Institute of Child Health and Human Development

P.O. Box 3006
Rockville, MD 20847
Toll Free: (800) 370-2943
Fax: (866) 760-5947
NICHDInformationResourceCenter@mail.nih.gov
<http://www.nichd.nih.gov/Pages/index.aspx>

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disease or disability, and to ensure the health, productivity, independence, and well-being of all people through optimal rehabilitation.

GIKids

714 N. Bethlehem Pike
Suite 300
Ambler, PA 19002
Direct: (215) 641-9800
naspghan@naspghan.org
<http://www.gikids.org/>

With GIKids, NASPGHAN and their foundation are working to reach out directly to families, kids and teens who live with digestive conditions to provide them with the information they need to understand and improve their digestive health, work with their health care providers, live a more independent life, and understand what works in plain language instead of medical jargon.

MedlinePlus

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

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.

Mental Health America

500 Montgomery Street
Suite 820
Alexandria, VA 22314
Toll Free: (800) 969-6642
Direct: (703) 684-7722
Fax: (703) 684-5968
<https://www.mhanational.org>

Mental Health America – founded in 1909 – is the nation's leading community-based nonprofit dedicated to addressing the needs of those living with mental illness and to promoting the overall mental health of all Americans. Their work is driven by their commitment to promote mental health as a critical part of overall wellness, including prevention services for all, early identification and intervention for those at risk, and integrated care and treatment for those who need it, with recovery as the goal.

National Obesity Foundation

10921 Wilshire Blvd,
Suite 1114
Los Angeles, CA 90024
Toll Free: (800) 663-9300
info@nofusa.org
<http://nofusa.org/about-national-obesity-foundation/>

The National Obesity Foundation (NOF) is a 501(c)3 nonprofit organization founded in 2012 to fight obesity, its causes and devastating effects in the U.S. Working together with industry leading experts in the fields of weight loss including physicians, surgeons, nutritionists and fitness professionals, NOF has created programs that provide education, practical resources, medical assistance (including and free bariatric surgery to deserving individuals) and patient advocacy to the millions of people struggling with obesity.

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.

National Heart, Lung, and Blood Institute

P.O. Box 30105

Attention: Website

Bethesda, MD 20824-0105

Direct: (301) 592-8573

Fax: (240) 629-3246

nhlbiinfo@nhlbi.nih.gov

<http://www.nhlbi.nih.gov/>

The National Heart, Lung, and Blood Institute (NHLBI) provides leadership for a national program in diseases of the heart, blood vessels, lung, and blood.

Obesity Action Coalition

4511 North Himes Ave

Suite 250

Tampa, FL 33614

Toll Free: (800) 717-3117

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

The Obesity Action Coalition (OAC) is a more than 50,000 member-strong 501(c)(3) National non-profit organization dedicated to giving a voice to the individual affected by the disease of obesity and helping individuals along their journey toward better health through education, advocacy and support. Our core focuses are to raise awareness and improve access to the prevention and treatment of obesity, provide evidence-based education on obesity and its treatments, fight to eliminate weight bias and discrimination, elevate the conversation of weight and its impact on health and offer a community of support for the individual affected.

Office on Women's Health

Department of Health and Human Services
200 Independence Avenue, SW Room 712E
Washington, DC 20201
Toll Free: (800) 994-9662
Direct: (202) 690-7650
Fax: (202) 205-2631
<http://www.womenshealth.gov/>

The Office on Women's Health (OWH), part of the U.S. Department of Health and Human Services (HHS), works to improve the health and sense of well-being of all U.S. women and girls. OWH serves as the focal point for women's health activities across HHS offices and agencies and leads HHS efforts to ensure that all women and girls achieve the best possible health.

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.

World Health Organization

525 Twenty-third Street
N.W.
Washington, DC 20037
Direct: (202) 974-3000
Fax: (202) 974-3663
<http://www.who.int/en/>

We are the directing and coordinating authority on international health within the United Nations' system.

This document was developed by the Job Accommodation Network (JAN), funded by a grant from the U.S. Department of Labor, Office of Disability Employment Policy (#OD-38028-22-75-4-54). 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.