

JAN

Job Accommodation Network

Practical Solutions • Workplace Success

Accommodation and Compliance Series

Accommodation and Compliance Series: Employees with Multiple Chemical Sensitivity

Job Accommodation Network
PO Box 6080
Morgantown, WV 26506-6080
(800)526-7234 (V)
(877)781-9403 (TTY)
jan@askjan.org
AskJAN.org



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 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.

The following document is not copyrighted and reproduction is encouraged. Section 105 of the Copyright Law provides that no copyright protection is available for works created by the U.S. Government. Therefore, all works created by JAN fall under this provision. While individuals may use such work with impunity, individuals may not claim copyright in the original government work, only in the original material added. Individuals may access the full text of the law from the U.S. Copyright Office <https://www.loc.gov/copyright>. Please note that specific information cited by JAN may be copyrighted from other sources. Citing secondary sources from a JAN publication may violate another organization's or individual's copyright. Permission must be obtained from these sources on a case-by-case basis. When using JAN materials, JAN asks that the materials not be reproduced for profit, that the tone and substance of the information are not altered, and that proper credit is given to JAN as the source of the information. For further information regarding this or any other document provided by JAN, please contact JAN.

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 Multiple Chemical Sensitivity

Multiple Chemical Sensitivity/Environmental Illness (MCS/EI) is an inability to tolerate an environmental chemical or class of chemicals. It usually develops from exposure to substances in the environment and may result in intolerance to even very low levels of chemicals. Symptoms can occur in more than one organ system in the body, such as the nervous system, the lungs, and the heart. Exposures can come through the air, from food and water, or through the skin. MCS/EI causes different symptoms in different people. Symptoms may include: headaches, dizziness, fatigue, nausea, breathing difficulties, tightening of the throat, difficulty concentrating, memory loss, learning disorders, eczema, arthritis-like sensations, and muscle pain. A person who experiences limitations due to MCS/EI may have any of the above mentioned symptoms when exposed to such irritants as fragrances, cleaning agents, smoke, pesticides, molds, office machines, car exhaust, paint, new carpeting, solvents, poor indoor air quality, and others. There are specific considerations to consider when accommodating an individual with MCS/EI.

Ventilation and Indoor Air Quality Issues:

- Provide an office or workspace that has working windows.
- Make certain the ventilation system is not distributing pollutants throughout the work-site from locations within or outside of the building.
- Use HEPA filters in the ventilation system if possible and have ducts maintained.

- Have an air quality test performed by an industrial hygiene professional to assess poor air quality, dust, mold or mildew accumulation, VOC concentration, etc.
- Work with specialists in the industrial hygiene field by contacting resources like the American Industrial Hygiene Association for a member referral.
- Use air purification systems throughout the building or in personal workstations. Work with specialists in the air filtration field by contacting resources like The National Air Filtration Association for a member referral.
- Maintain a work environment which is free of pollutants such as fragrances, toxic cleaning agents, pesticides, exhaust fumes, tobacco smoke, etc.
- Provide adequate exhaust systems to remove fumes from copiers and similar office machines.

Construction, Remodeling, and Cleaning Issues:

- Provide pre-notification of events such as remodeling, painting, pesticide applications, floor waxing, and carpet shampooing by way of signs, memos, e-mail or an employee register. A voluntary registry can be created for people to be notified on a regular basis.
- Allow for alternative work arrangements for those people who may be sensitive to the chemical agents used in the above activities such as offering the use of another office, work on another floor of the building, work outside, or work from home.
- Use non-toxic building materials, furnishings, and supplies.
- Use non-toxic carpeting or alternative floor covering such as tile or cotton throw rugs. Products can be used to reduce the out-gassing of newly laid carpeting.
- If industrial products are being used such as solvents, primers, stains, paints, lubricants, etc., consider any alternative products that could possibly be used that may not illicit an MCS/EI reaction.
- If possible, have cleaning, maintenance, and remodeling activities performed when the building is not occupied to reduce employee exposure to these activities.
- Discontinue the use of toxic pesticides and opt for an alternative pest management policy. Contact resources like the National Pesticide Telecommunications Network or the National Coalition Against the Misuse of Pesticides to find out more about alternative pest management practices.

- Discontinue the use of synthetic lawn care products.

Multiple Chemical 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 Multiple Chemical Sensitivity

People with multiple chemical 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 multiple chemical 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. 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

Coughing Excessively

- Products
 - Environmental Sound Machines / Tinnitus Maskers / White Noise Machines
 - Noise Abatement
 - Sound Absorption and Sound Proof Panels
- Strategies
 - Flexible Schedule
 - Policy Modification
 - Telework, Work from Home, Working Remotely
 - Worksite Redesign / Modified Workspace

Dizziness

- Products
 - Alternative Lighting
 - Bump Caps
 - Fall Protection
 - Padded Edging
 - Personal Safety and Fall Alert Devices
 - Protective Eyewear
 - Rollators and Rolling Walkers
 - Scooters
- Strategies
 - Flexible Schedule
 - Modified Break Schedule
 - Telework, Work from Home, Working Remotely

Headache

- Mini Refrigerators/ Electric Coolers

Memory Loss

- Products
 - Apps for Memory
 - Break Reminder Software
 - Electronic Organizers

- Form Generating Software
- Labels/Bulletin Board
- Medication Reminders
- Memory Software
- Notepad or White Board
- On-Screen "Ruler" / Strip
- Timers and Watches
- Wall Calendars and Planners
- Strategies
 - Additional Training Time / Training Refreshers
 - Checklists
 - Color Coded System
 - Color-coded Manuals, Outlines, and Maps
 - Extra Time
 - Recorded Directives, Messages, Materials
 - Reminders
 - Support Person
 - Supervisory Methods
 - Task Flow Chart
 - Task Separation
 - Verbal Cues
 - Voice Recorders
 - Written Forms and Prompts
 - Written Instructions

Nausea

- Products
 - Mini Refrigerators/ Electric Coolers
- Strategies
 - Flexible Schedule
 - Telework, Work from Home, Working Remotely

Respiratory Distress/Breathing Problem

- Products
 - Air Cleaners & Purifiers
 - Air Cleaners - Chemical/Odor Removal
 - Air Cleaning Systems
 - Air Purifiers - No Ozone
 - Air Purifiers for Multiple Chemical Sensitivity
 - Air Quality Monitors
 - Alternative Cleaning Supplies
 - Carpet Alternatives, Sealants, and Sustainable Flooring
 - Dry Erase/ Whiteboard Product Alternatives
 - Floor Cleaning/Stripping Products - Chemical Sensitivity
 - Low/No Odor Paints and Stains
 - Masks - Smoke Allergy
 - Natural and Synthetic Fragrance-free Hand Soap
 - Odor Control
 - Odor/Fragrance/Chemical Masks
 - Personal Air Cleaner (Neckworn)
 - Pet Dander Control
 - Portable Air Purifiers
 - Powered Air Purifying Respirator (PAPR)
 - Respirator Masks
 - Respiratory Health Management
- Strategies
 - Flexible Schedule
 - Job Restructuring
 - Modified Break Schedule
 - Plan of Action
 - Policy Modification
 - Telepresence
 - Telework, Work from Home, Working Remotely

Skin Rash/Blisters/Sores

- Products
 - Alternative Cleaning Supplies
 - Custom Gloves
 - Natural and Synthetic Fragrance-free Hand Soap
- Services
 - Disability Awareness/Etiquette Training
- Strategies
 - Job Restructuring
 - Policy Modification

Work-Related Functions

Air Quality/Irritants

- Air Cleaners & Purifiers
- Air Cleaners - Chemical/Odor Removal
- Air Cleaning Systems
- Air Purifiers for Multiple Chemical Sensitivity
- Alternative Cleaning Supplies
- Carpet Alternatives, Sealants, and Sustainable Flooring
- Flexible Schedule
- Floor Cleaning/Stripping Products - Chemical Sensitivity
- Low/No Odor Paints and Stains
- Masks - Smoke Allergy
- Odor/Fragrance/Chemical Masks
- Personal Air Cleaner (Neckworn)
- Powered Air Purifying Respirator (PAPR)
- Respirator Masks
- Telework, Work from Home, Working Remotely

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 teacher diagnosed with sick building syndrome was required to attend weekly faculty meetings in the school building.

She usually taught class from a portable classroom outside of the building and could not be in the school building for extended time. JAN suggested that she use either a speakerphone or public address (PA) system from her classroom to listen in and participate in the meetings, be provided with meeting minutes, or attend the meetings and wear a respirator mask if she felt comfortable doing so.

An outside laborer was having difficulty doing his job due to the fumes from the diesel equipment he was operating.

A portion of his time was spent operating heavy equipment while the rest of his time was spent as a laborer. He was better able to function as a laborer as he was not as exposed to the fumes performing laborer functions. JAN suggested he consider the use of a respirator mask to filter out the diesel fumes. Alternatively, his job could be restructuring so he only worked as a laborer or he could be reassigned to a vacant position that would accommodate the need to avoid exposure to diesel fumes.

A graphic arts professional whose company was in the process of remodeling was having some difficulty working in the building due to paint fumes and construction materials.

It was too far into the process to change the products that were being used so the company needed some other way to accommodate. The employee was able to work from home on a temporary basis during the remodeling phase of her portion of the building. The employee already had a computer at home so the employer provided all of the necessary software, modem, and a new telephone line to be used for business purposes only. The company also provided a fax machine so the employee could fax materials back and forth between the work-site and her home office. To monitor her work performance, the employee was required to respond to e-mails in a given time period and to keep a log of all work completed. The employee attended weekly meetings by speakerphone.

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
<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 Industrial Hygiene Association

3141 Fairview Park Drive,
Suite 777

Falls Church, VA 22042

Direct: (703) 849-8888

Fax: (703) 207-3561

infonet@aiha.org

<http://www.aiha.org>

AIHA promotes, protects, and enhances industrial hygienists and other occupational health, safety, and environmental professionals in their efforts to improve the health and well-being of workers, the community, and the environment.

Beyond Pesticides

701 E Street, SE,

Suite 200

Washington, DC 20003

Direct: (202) 543-5450

Fax: (202) 543-4791

info@beyondpesticides.org

<http://beyondpesticides.org>

A national, non-profit membership organization of groups and individuals formed in 1981 to serve as a national network committed to pesticide safety and the adoption of alternative pest management strategies to reduce or eliminate dependencies on toxic chemicals.

Chemical Injury Information Network

P.O. Box 301

White Sulphur Springs, MT 59645

Direct: (406) 547-2255

Fax: (406) 547-2455

chemicalinjury@ciin.org

<http://ciin.org/>

The Chemical Injury Information Network (CIIN) focuses primarily on education, credible research into Multiple Chemical Sensitivities (MCS), and the empowerment of the chemically injured.

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.

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

MCS Advocacy.com

<http://mcsadvocacy.com/>

MCS Advocacy.org was established to provide help to the MCS-disabled community through the following consultation services: * Physician location * SSD, Workers' Compensation, and other disability insurance procurement * Accessibility implementation issues * Attorney/Physician/Psychologist liaison for case reviews including correspondence and summary preparation * Safe housing issues * Day-to-day MCS-related concerns

National Air Filtration Association

22 N. Carroll St,

Ste 300,

Madison, WI 53703

Direct: (608) 310-7542

Fax: (608) 310-7545

nafa@nafahq.org

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

Promotes and advances the common interest of those engaged in the air filtration industry.

National Center for Biotechnology Information

8600 Rockville Pike

Bethesda, MD 20894

pubmedcentral@ncbi.nlm.nih.gov

<http://www.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.

National Fibromyalgia & Chronic Pain Association

31 Federal Avenue

Logan, UT 84321

Toll Free: (801) 200-3627

info@fmcpaware.org

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

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.

National Institute of Environmental Health Sciences

P.O. Box 12233,

MD K3-16

Research Triangle Park, NC 27709

Direct: (919) 541-3345

Fax: (301) 480-2978

webcenter@niehs.nih.gov

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

The National Institute of Environmental Health Sciences (NIEHS) is one of 27 Institutes and Centers of the National Institutes of Health (NIH), which is a component of the Department of Health and Human Services (DHHS). The mission of the NIEHS is to reduce the burden of human illness and disability by understanding how the environment influences the development and progression of human disease.

The Environmental Illness Resource

162 Bramham Drive

Oakdale Court

Harrogate, North Yorkshire, England HG3 2-2UB

Toll Free: (441) 423-528055

support@ei-resource.org

<http://www.ei-resource.org/>

The Environmental Illness Resource seeks to provide those with environmental illnesses with information of the highest quality in the hope that this will lead to improved quality of life and perhaps even recovery of good health. In addition, to provide a free and open online community in which members may exchange information between themselves and support each other in their healing journeys.

United States Environmental Protection Agency

Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
Direct: (202) 272-0167
<http://www3.epa.gov/>

Our mission is to protect human health and the environment.

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.

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.