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JAN

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 Donna CART Captioner: Captioner is standing by. Stand by for captions.

>> Hello everyone and welcome to the Job Accommodation Network ‑‑

>> I am Beth Loy. I'm here presenting Key Mental Health Solutions in the Workplace. Before we start the program, I want to go over just a few housekeeping items. First, if any of you experience technical difficulties during the web, webcast. Call us. Or for TTY, call (877)781‑9403. Second. We plan to answer as many of your questions as we can during your presentation. Send in your questions at any time during the webcast to question@askjan.org or the question and answer pod at bottom of screen. To ask a question, submit it to the question could you.

>> File share pod is what you can view if you have difficulty with slides. You can download them. I want to remind you that at the end of webcast, evaluation form will pop up on your screen in another window if your don't have pop‑up slot. Okay. Melanie, let's start the program. Take it away.

>> Subscription for the ‑‑ description to the webcast is brief. Sought after answers from employees and employers alike. So we wanted to offer this session at start of this new year and at this new decade to learn more about successful and doable accommodations. We are going to let the examples speak for themselves. As Beth stated, we are going to have four question and answer periods. You can get your questions in before the topic comes up or save them until the end.

>> Excellent. This is a big anniversary up‑and‑coming. ADA will celebrate the 30th anniversary this July. This is proposed to improve the lives of people with disabilities and protecting their rights to employment to public entities and transportation and telecommunications and more. Helps people with disabilities compete equally for employment and receive a additions they need ‑‑ accommodations they need to work. Stay tune for more information and updates.

These are challenging situations we are going to cover this afternoon in this webcast. We are going to talk about leave, telework, stress reduction, returning to work. Modified schedules. Supervisory changes. Completing essential functions and confidentiality and morale issues. Some of they these overlap. They have differences too. We want to make sure you got really good information.

So leave is an accommodation that can be effective with employees with mental health impairments. Can be varying amounts of time and singers. Can be for counseling, rest and treatment and hospitalization, evaluations and treatment. Ineffective accommodation if an employee is able to work. We are going to look at our examples. Addie has PTSD as symptoms of the approaching anniversary of trauma that she experienced. She asked leave one each week in order to get treatment. No hardship for providing a substitute for one afternoon a week for 16 weeks. Jude goes to supervisor to explain he has thoughts of harming himself. HR director is brought into the situation, they decide to call his brother to come in get him. Jude admitted to a facility for treatment and requested time off for him.

The employer granted the leave requesting more information from brother when knows more about time frame involved.

Jake increasingly paranoid and thought co‑workers out to get him. He showed up late, highly confused and very unkempt. They placed Jake on leave so that he could get the medical evaluation and treatment it appeared he needed.

Our last is Sue. She had mental health impairment. Has new medicine and had temporarily working to work a different schedule. 10 hour shifts instead of 12 hour until she was more acclimated with the medication. They worked out the situation for both parties. This example of leave seems to be ineffective as she is still able to work for ten hours per day for employer who now has position where no work is being completed.

Next topic is telework. It's another effective accommodation if employee's job can be done from home. Not every job can be completed 100% of the time from home. Neither do those with disabilities need to work from home daily. They should be considered on a case‑by‑case basis. Issues we are going to address afternoon through our examples is intermittent telework, providing telework for trial periods and telework as a last resort. First example involves David. David asks for accommodation of intermittent telework to manage anxiety system that are exacerbated in recent months. David cannot stick to regular schedule from home as may not have symptoms every Tuesday and Thursday. Those are enough days and agrees to let the employer when he will stay home. They both agree to see how it works.

Jasmine asked for telework five days a week to help her deal with bipolar disorder and sleep schedule and stressful return to work. Medical documentation that supported her to be home 100%. Part of her job required her to rotate in and out of customer service window with coworkers. Trial period allows jasmine to work from home three days a week and heavier presence at window on days in the office to balance out the responsibility.

After I stressful episode in the office for Zeek, he asked to work from home until regulating the symptoms. Supervisor allowed him to do that. Then determined if it could be an effective accommodation.

Last example here is Denise who suspect hypervigilant and aware of her surroundings at all times. This can make completing her work difficult in a busy office space. Her performance has slipped in last several months. Boss reached out to her. She has PTSD and struggle with concentration due to noisy work environment. Employer offered to provide a noise cancelling headset during her shift. That was effective. Distracted by noise and stimulation of co‑workers. She could do all of her functions from home and offer telework where she could control her own environment.

Next we have reassignment. That's accommodation of last resort that can be done at any time if employee and employer agree it's effective. Employer does not have to create a position nor bump anyone else out of position and employee has to be qualified but not the most qualified. These are our examples on reassignment.

Asked to be moved from night shift to day shift because of medications he takes at night. There are no open day positions at this time. They will not create one for him. Asked for alternate accommodations in order for him to help do the job. Jason asks for reassignment after attempts were not successful. Jason needs to be qualified for positions. Doesn't have to be most qualified. Asking him to compete for job takes the reassignment out of it. They place him into the one that is best fit.

Thomas having busy difficulty working in office. Managed staff house and customer service and daily oversight with office. Determined that Thomas would be the ideal manager to fill a re‑sent opening in ‑‑ recent opening in smaller and less busy branch office. Maintained salary and responsibility of leadership role. V.

>> We do have questions. Are you ready?

>> Okay.

>> On slide 5, you talked about reassignment. You addressed it in detail in slide 6. How about we clarify a little bit about the assignment. Attendees, would be the last resort. You want to clarify the reassignment typically is one they look ‑‑ unless everyone agrees.

>> Under reassignment, it would be best to look at all possible accommodations that would be able to keep the employee in the current position successfully. Sometimes that's not possible. So when an employer has tried all accommodations they know of and think of and we talk about things we know of and things that have helped, none of those have helped, then that can be the time to reassign someone to a new position. There are times when employee asks for that and employee agrees that may be the best situation.

Follow‑up to that, how long should an agency do a job search for reassignment?

>> I think that's a good question. I think that depends too on size of agency. If it's a small agency and they know exactly, they are not going to have any jobs. Not going to have any jobs come open that they know of, that may be a shorter search than company that has a lot of jobs that are open or may becoming open. That person maybe able to search longer and find a really good job match.

>> One of the things I usually ask employers, how long does it take to hire someone? Takes us forever.

>> That's a good thing to look at, post it and interview and hire somebody and they have to get up on the speed of job too.

>> Is employer able to change the pay when reassigning?

>> Employer can change the way. They never have to promote somebody, they can do that. That's not required under ADA. They can put someone in lower position. That can be an effective accommodation because sometimes the person can no longer do the job tasks that are in the current job level or classification. Sometimes all they have is lower position. They can change their pay. That would be based on that new assignment. Unless they have a policy where they pay people without disabilities when they move them around to different jobs or a lower position. When we talk to employees, may not be what you want. If you are unable to do the job at this point, move into another job, still offer benefits if it's the benefits eligible position. And maybe in the future, they can move into a job where they can make more money.

>> We look at equivalent positions first.

>> Absolutely.

>> Then we can go something lower.

>> If an employee states that he or she wants reassignment because that person cannot work for a specific supervisor and management is fine with reassignment, do you look at other accommodations or do you go ahead with reassignment?

>> We have a section come up and we are going to talk about supervisory issues. Sometimes I think it might make good business sense to reassign the person if they cannot work for specific supervisor. You can look at instead of changing supervisor, look at changing supervisory method. If management is okay with the reassignment, that might be the best thing to do. Do that quickly.

>> If prior to requesting telework employee on telework not underperforming, do you still try telework as an accommodation. Wonder if that means they were teleworking with ‑‑

>> But was under performing.

>> Right.

>> Even if teleworking and other performing, you need to look at if there are other accommodations they need. Can have that same conversation with them. Just because you telework, doesn't mean things are different. They can meet those standards. How can we help you get there. Is something to be put in place so they can meet those standards and still remain at home.

>> Okay. Take one more here, Melanie and then we will move on to some other questions.

>> Can an employee take a mental leave for changing mental health medications. This is quite common.

>> It is. We talk to a lot of people who have that request a lot of times they are unable to work. They can work shortened hours. That may be effective. And some people cannot. They need to be off. That would be then up to the employer to determine if that's reasonable or not.

>> Sometimes the medication might be the wrong medication.

>> Right.

>> Employee has to start over again.

>> Sometimes they take three or four different types and then, you know, each time they have to get that enough time to see if it's effective or not.

>> Let's move on.

>> Now we are going to talk about stress reduction. Removing functions from job that cause stress as well as reassignments from stress‑free jobs. All jobs have some element of stress. And varies from employees to employees. Look at specifically what's causing this stress. Goes a long way to eliminating the stress from the job through accommodations. That's on a case‑by‑case basis. What may cause stress for one person may not cause it for somebody else.

Our examples start with Ty. Working for in a call center as customer service representative. Asks for accommodation of answering chats and e‑mails only as talking on the phone to customers causes him stress. Medical documentations supported his request. The employer asked for specific information what caused the stress. How to minimize and eliminate the stress and taking calls so he can do the functions. Not remove them. Does need conflict resolution skills or does need to have a quicker access to his resources in order to answer customer service questions easier and more thoroughly.

Jimbo, employee with autism and anxiety is not performing well. Doctor recommended visuals when trained and ability to take time away from stressful situations in order to de‑stress. He's running to ask questions time after time. Need to de‑stress is involving more time than working.

JAN recommended organizing his steps in a color‑coded binder. And a flowchart that has a steps to take before asking question. Employer does not have to provide unlimited paid break as interferes with training and completion of job duties. Talked to him about the things that are causing his stress and asked for ways to accommodate him to reduce the every day stressors. Have a different environment or a different workspace. Smaller or quieter location?

Next example is a large metropolitan police department that employed a record specialist who is finding difficult to do the functions. Increase in violent crime had taken a toll over employee causes him emotional breakdown. Attendance is also becoming an issue. When they discussed reasonable accommodation with supervisor, pleased to discover options that would take him out of area that was causing his mental health condition to deteriorate.

We have returning to work. Returning to work after leave for mental health impairment can be a challenging situation. May not be as difficult as some employers seem to make it. We would advise employers to allow medical documentation employee submitted when making a decision when an employee is ready to return to work. Many employers work cooperatively while out on leave top make the return to work smooth. Other refuse to engage in interactive process while employer is on leave. See how the examples show the effectiveness of both strategies. Truid had been on leave after a suicide attempt. Medical documentation he submitted saying that he followed the treatment and doing well enough top return to work ‑‑ to return to work. Flexibility to continue counseling two times per week. The employer refused to allow him to return to work until working full schedule without the need of counseling.

Who here is better qualified to determine if Truid is ready to return. Psychologist who has been treating him or employer. He doesn't need to be 100% to return to work. That's why accommodations from ADA are for.

Howe provided information from treating psychologist as to readiness to return to work. Employer wasn't sure if safe for Hal to come to work so soon. Documentation stated that working was good for recovery as continued treatment. If employer has question says about return to work, it is possible to reach back out to doctor or therapist for more information. That way the decision is based on current medical documentation and not the employer's fears or uncertainty.

Alex has been off work for several months in order to obtain treatment for his depression. Doctor recommended that he return with accommodation of flexible start time, increased breaks when needed and weekly meeting with supervisor in order to help him to stay on task. Alex got his information to his employer weeks before return so he could have a plan in place. Employer requested little more information about request for flexibility schedule and break and what that would look like on day‑to‑day basis. They agreed to accommodations and ready for return to work well eagerness that matched his.

Last example here is Casey and Casey's employer will not engage with interactive process with employees on leave. The lack of progress heightens her anxiety. Casey asks for extended leave. Could the need for extended leave have been eliminated with an employer policy that allows the accommodation process to take place while on leave in order to return her to work earlier with accommodations in place.

We are talking about modified or reduced schedule. Accommodation of modified or reduced schedule can be effective who need time off so they can attend appointments or rest and recuperate. Part‑time work that transition social security to full‑time. Employees needing a set or regular schedule and denial of accommodations is a hardship. Hardship is an accommodation that is too costly, too disruptive or change the nature of business.

Let's start with Sally. Returning to work after a lengthy hospital stay for inpatient mental health treatment. Sally is accommodated of part‑time schedule. She plans to increase her schedule, transitioning back to full time as she is able.

Next example is holly. Holly's sleep schedule is unstable due to working variable shifts in retail. Many late shifts by early morning. Asks for more set schedule with adequate time in between shifts for sleep.

Employer is hesitant as keeps retake thing, this is ‑‑ repeating, this is retail, you have to be flexible. Agrees to set her in flexible schedule without cutting her hours and no late mornings.

>> John hired as a chemist in a lab setting where everyone is expected to work ten‑hour days five days a week. Submits a note from doctor that can only work eight hours starting that day. Denies the request as working number of hours is essential function of job. Everyone is expected to do so, asks John what other accommodations can be put into place to allow him to work schedule of ten hours.

Last example in this section. We have two more. Jody works on manufacturing line that involved many people all working together to get the work done. She needed frequent breaks away from job tasks due to anxiety. Jody's employer was not able to accommodate her in this way. Hardship to stop the line and shut everyone down without notice. Employer asked for ideas to reduce her anxiety. Reassignment as a possible solution if inability to work her shift with limited breaks continue.

>> Last example. Ike asks to return to work on a part‑time basis working 30 hours in order to keep his benefits, to help him back on his feet and prevent the stress episode that put him on leave to begin with. Employer denies as a hardship. If he cannot come back full‑time, he cannot come back. Let them know when that is possible, he can return. We get this question a lot. What is the hardship? You think that being out of work 40 hours a week is a hardship. Would it make more sense for him to 75% of work done or none at all. Requiring employee at 100% could be a violation of rights under ADA.

Now we have time for questions.

>> Thank goodness.

[Laughter]

Smoke growing out of you.

>> Good. Good. Good.

>> Let's see. We have told employees the ABA doesn't require accommodations where employee comes and goes as they please. Is that correct?

>> Yes, that is correct. Absolutely. You can still hold employees with disabilities to a time requirements the same as you require others to. You want to look at how do we accommodate that employee. For employee that has their own work and doesn't effect anyone else, that's an easier situation to accommodate with flexibility than the person on production line that shuts the whole thing and nobody gets work done.

>> We have 24/7 operation. Employee asks for light duty, access to day schedule only. Schedules are set six months in advance. Employees can informally switch schedule. The need suspect cyclical and related to forks during severe weather.

>> Let's talk about the light duty. We hear from employers that they have light duty ‑‑ certain positions for those who need an accommodation. Light duty is current position with accommodations. You want to be careful to look at that. What are they asking for. What are accommodations they need. That could be accommodated in current position possibly. If they need access to day schedule only, that depends if your schedules are set in advance or schedule are day shifts given to people who have seniority. If that's the case, we don't have to put that person on day position. That's what you do. Everyone expects that. If you have made exceptions before may be possible to make that exception for this person. If they can switch schedules with other employees, how is that done? If it were an accommodation, they can look at how do we help to see about changing schedules with somebody. That person understands that process or employer helping some way in that process.

>> I agree with you. Employer needs to document the employer has to look for ways to streamline this process rather than being an impediment in the office. Set at six months advance and undue hardship to change those schedules, they need to document why it's an undue hardship.

>> Right.

>> How much will you factor in stress of commute as you mention it impacting bipolar disorder?

>> I think there are several things to look at there. Long‑term thing or permit thing or short time frame or during bad weather?

>> What's the trigger?

>> I remember a call once where a guy, if it snowed, could not leave his house. He lived in New York. That can be snow a lot during the winter. Is it possible for him to do his job those days or does need to take leave.

>> Trigger is a lot of traffic.

>> Could be hours flexed a little bit so they are not able to be on the road during those times. Can they work part‑time and come into the office or however that would work where there is less traffic and not work the whole day in the office.

>> Okay.

>> If traveling is not a requirement to perform essential duties, must the agency authorize telework. This is due to employee's inability to drive due to medications taken for psychiatric conditions.

>> That's something to consider. If they cannot drive because of medication. It they actually work because of the medication. Sometimes we hear that people can not function. Not that they cannot drive. Not that they can function. Leave may be better accommodation in that regard. And you can always do telework. Here is a good thing. Do telework on temporary or trial basis to see it if works. Some employers say they can tell a different days. Study show that some people can be up to 27% more effective when they work from home. Could be a good thing.

>> One lead question in here. Should employer count FMLA leave provided as original leave due to accommodation?

>> They can do that. FMLA runs out. If they run out of FMLA leave and still needs more leave, they look at that as leave under the ADA after that and look at how much leave they can provide after the FMLA without causing a hardship.

>> Okay. All right, Melanie, let's keep moving on here.

>> Okay. All right. We have supervisory changes. Site team at JAN gets many questions about changing supervisory changes. This is due to personality changes. And difficulty to get along with coworkers. Issues develop when a new super visor comes into play. Conversations during consultations tends to focus on changing supervisory method instead of supervisor. Changing the supervisor is not required under ADA. Employer can go beyond. It's not required. We have three good examples. Paula has worked successfully from home full time for over ten years. When a new manage comes into place, she calls everyone back to the office, no exceptions. Paula is devastated. She's well under control and in the best health of her life and work evaluation have shown how successful this can be. Consultant asked for continued effective accommodation of telework due to disability under ADA. She was able to show how effective it's been for her and continuing it is best for all parties.

They apologized for hastiness in recalling all workers causing Paula the stress that they didn't need.

Ashley has reduced workload as of informal accommodation. She feels she is in a hostile work environment. When supervisor tells her to do all aspects of her job. Employer explained that she may have been accommodated with reduced workload in the past, she is expected to do the full scope but with accommodations that allow her to complete the work. Employer asks about accommodations she may need and supervisory method that might be effective for her.

Last example. Nigel has trouble focusing and retaining information and information and instructions that supervisor seems to tell him on fly. Nigel asks for information and directions in writing and weekly sit‑downs with supervisor to help keep him on track. We get questions with difficulties with supervisor. I don't want them in my face. Can I have more community in writing? Sure, if that works. People with mental health impairments have issue with memory and they have anxiety. If they can have things written in e‑mails and directives, they can look at those. Helps with memory and fewer interactions with supervisor. That may help the anxiety as well. Okay.

>> As you might support, service and support animal questions run rampant here at JAN at times. We advise callers to look at request for service or support animal as an accommodation. The same way as other accommodation. Training is issue with bringing an Allen in the ‑‑ animal in the work place we address the training as opposed to certification of training. We recommend trial periods as a way to determine if animal is appropriately trained for work environment and see if accommodation is effective.

Tia brings her support animal to work without asking for accommodation as she feels is her right. When employer asks Tia about the dog and requests monthly evaluation ‑‑ medical evaluation, she quit her job and called JAN. Use of a service animal is just as an accommodation. Employees should understand that employer has responsibility under ADA and rights to determine if accommodation is needed because of medical condition and why. Lena asks to bring the service animal to work to help her with anxiety. Provides documentation from psychiatrist that verifies the ability with report from Lena that talks about the effectiveness of the job and assure rance that work will be better if she has the dog. Employer wants certification training proof. She has no certification. She trained the dog herself. Under ADA, no sure guidance about service and support animals in the workplace. Consultation, consultant at JAN and the employer discuss the training, lack of certification and idea that a demonstration in the workplace may be a more effective way to evaluate the training and subsequent behavior than a certification that could be bogus.

Agrees to a trial period as demonstrates the behavior overtime to determine if the dog is properly trained for environment. There are different environments. Sometimes they are trained at home and there may be a lot going on and all kinds of different people and things. Dog needs to be trained for each environment. That's important. Zane asks for reassignment from stressful call service to a an area where is not as stressful in nature. Also asked for a support animal. The employer able to find him an immediate job and started an dialogue about the support animal that turned out to be a guinea pig. There is specifics of the animal. Employer found no reason to deny his request and allowed him to bring support animal on trial basis so they can determine the effectiveness.

Performance and conduct. Employer is not required to lower a conduct standard. Employer does need to consider providing accommodations that will enable them to meet those standards. Employees will request reasonable accommodations before performance or conduct problems arrive or before they become too serious. Although the ADA does not require them to ask for accommodation at specific time, timing of request is important because an employer doesn't have to send evaluation or discipline. That includes determination that is warranted by misconduct. Employers can have zero tolerance for all employees. Good documentation as they go through this process is vital. Frankie worked as administrative assistant in large office. She was available to all. As Frankie, showed an inability to do her job. They left tasks undone and isolating herself and wearing a headset that no one can talk to her. She had partition around her desk from cardboard boxes. In her position, she had to be available to those she assisted. They may be able to move her desk off to side to allow her some privacy and provide her with ways to reduce noise and distraction. Policy change where she would get more assignments in e‑mail so there is reduction in constant traffic around her desk.

Human resource manager faced with firing Todd. An employee who grabbed one of coworkers by the neck and began to choke him. Under stress because of a home situation and illness and impending death of grandfather. There is a zero tolerance of placing hands on others and terminated.

Asked the consultant at JAN ask if they are accommodated by the ADA. Topics discussed completing essential functions. Accommodations that have been provided. Time frames for accommodations and how much the perform had increased over that amount of time with accommodations in place.

JAN stressed the importance of detailed documentation that would include the number and variety of accommodations provided. Increase or lack of information. How long would allow others to get up to speed and how it effected the business.

>> All right. Questions. Are you ready?

>> Ready.

>> What animals are covered under the ADA?

>> Really dogs. Maybe miniature horses.

>> Better question is what animals are excluded? Not anything included or excluded under employment provisions.

>> They have to look at what's reasonable and with the example of Guinea pig. That's not the normal answer. I talked to the employer two times, I can't say a reason to say no. His willingness to see how it works.

>> And that's from employment position. They do specify what animals are covered under title 2 and 3. That's service dogs or miniature horses. Under those titles. Under title one, wide open.

>> Right, we do get calls for a variety of different animals. I think that the employer has to look at each caisson an individual basis ‑‑ case on an individual basis. What does work environment look like. In an example where it's a call center for big animal supply place, they are allowed to bring their pets to work. If everyone brings their cats and dogs to work, then a person who had a bird as an accommodation, how is that going to work in the workplace? Is that going to be possible? What needs to be put into place. That's different than one working in own office. What is reasonable in this situation and on a case‑by‑case basis.

>> Multiple questions about allergies and service animals in the workplace. We do have guidance written up on that, don't you?

>> We do. While talking about that, we do have a resource page available. Covers topics that we talked about today. Some very specifically. It's a good place to get more information on this topic and probably some more examples. I think, you know, I had a call last week. They had an employee who wanted to bring the service animal. They cleared that. As soon as that happened, they had an employee that said they are allergic to dogs. Let's see your medical documentation and then talk about that and weigh out both off of those ‑‑ both of those. If they both need accommodations, you need to look at what is reasonable for both of those balancing those out.

>> We have laid that out. In a helpful manner take a look at that resource list.

>> Last section.

>> Okay.

>> We are talking about removing essential functions or competing essential functions. Under ADA, employer does not have to remove essential function from position. Better way to handle it is to accommodate employee to be able to better to compete the functions. We talk about job restructuring about accommodation. That involves removing marginal. We talk to employers that do remove essential functions. That's done on temporary basis. Sometimes when somebody is trying to get back on their feet. Up to the employee to go beyond the ADA. Toby having difficulty with major errors in her work. Difficulties was focus and concentration interfered with her to be detailed oriented. Toby asked for difficult parts of her job to be assigned to a coworker.

Toby's employer provided accommodations to help her accurately to do those tasks. They started at looking at distractions in work area.

>> Rob's employer denied request of accommodation of extended deadline and reduction in caseload by 50%. Felt employer was discriminating against him and difficulty with clear focus in the afternoon. Clanking that they would not be ‑‑ complaining that they would not be able to reduce caseload. That would create more work for rob's coworkers. Deadlines not established by office and state guidelines and not be modified. Ask how they could consider meet the deadline and better able to meet his work with better clarity and focus.

Rob could work earlier hours when have better mental stamina and office quiet with few coworkers in attendance. A check list provided that would help Rob keep track of what he had done and what yet needed to be completed.

Confidentiality. Strict guidelines as to confidentiality. You should not give out information to co‑workers. By doing so, telling them that the co‑workers has a disability. We tell them the request denied because the employer felt would be unfair or detrimental to co‑workers on the job. Not a good reason to deny an accommodation. Let's start here with couple of good examples.

Renee needed compressed schedule for set amount of time. She reminded the employer of confidentiality of ADA. Two of the coworkers asked why she was able to work four days a week and have Friday off. They had no need to discuss personal information about a coworker. Employer may be able to make this point by reassuring the employees, asking the questions that their privacy would be respected if they found it necessary to subcommittee for workplace change for personal reasons. Next example is Mina. Denied accommodation to telework temporarily even though she could do her job remotely. If they allow her the privilege, they have to allow it to all employees. What's fair for one is fair for all.

Duty to provide accommodation is fundamental requirement because of nature of discrimination based by individuals with disabilities. Many employees with disabilities can perform jobs without reasonable accommodations. Workplace barriers that keep them from performing jobs that others can do.

And an employer cannot claim undue hardship when may have a negative impact on other employees. And modified workplace, you company modify a policy for a person with disability that they do not change for others. This type of policy could you be modified to include telework, schedules and bringing in angle animal and more. That's all have.

>> Wow. All right. We've got questions. Definitely to fill the few minutes here. First question. Disability is predicted to last about eight weeks, would qualify under the ADA?

It could, yes. That time frame. That used to be six months or more have been taken out of it. You need to look at how substantially limiting it is. It could be substantially learning even if only eight weeks.

>> Yes, it can. Major life things. Two yeses ancient supervisors and accommodations. How do you recommend talking about accommodations with accommodation without disclosing too much. And how can you tell if someone has accepted accommodation.

>> You wants to be careful not to give a medical information or digestion or anything like that to supervisor or manager. They need to be involved in the accommodation process, one requested flexible schedule. The manager needs to know that so they don't think they are late every day. Doesn't need to know why. They might need to know that they are having difficulty with organization or something like that. But they don't need to know the medical condition.

>> I think it depends on workplace too. There is some places like maybe fast food chain and fast food chain may have thousand different direct supervisors. We don't know how they are set up. For some, might be important. Others, probably not. That's why Melanie said you can talk about the change for sure. Say you have to get I.T. to put a piece of software on a computer, you wouldn't talk to the I.T. about the reason why. You would tell [your comment] this needs to be put on the computer. What makes an accommodation ineffective?

>> Oh, gosh. That would mean that it doesn't work for the employee. Doesn't work for employer. We hear from employees are working great. It's not working for employer. That's ineffectively. Leave is effective if that's what is requested and needed. It's not going to be effective for the person. I don't know how it's effective for an employer to have someone out when should be working. If accommodation doesn't improve their accommodations, may be tweaked or totally changed all together.

>> It's like a relationship, you usually know both parties. Is it working for both parties or not.

>> Not working with both parties. Not a good relationship for something to be changed. Melanie, that was a webcast filled with a lot of information.

>> You're welcome.

>> If you want to discuss an accommodation or ADA issue, thank you for coming to us today. Thank you to ACS for providing the captioning. As program useful as mentioned earlier, evaluation form will pop up in another window. We do appreciate your feedback. We hope you will take a minute to complete the form. This concludes today's webcast.

Donna CART Captioner: Meeting has ended. Thank you.

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