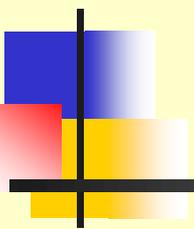
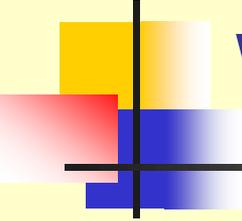


# REASONABLE ACCOMMODATION Training



---

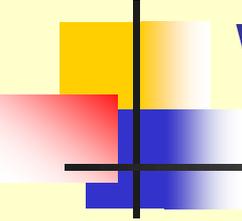
Fort Bliss EEO Office  
915 568-6066/3510



# Where Did the Term Come From?

---

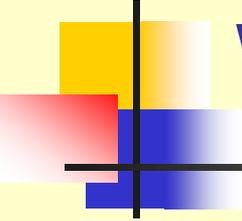
- A 1992 Amendment to the Rehabilitation Act of 1973
  - Which came from the Americans with Disabilities Act



# What Does the Term Mean?

---

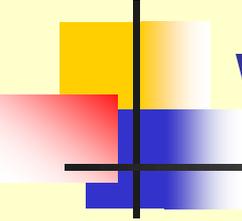
- A workplace modification so the individual with a disability can:
  - Apply for a job; e.g., provide application form in large print
  - Perform the essential functions of the job; e.g., install screen magnification software on a PC
  - Enjoy the job benefits; e.g., rearrange work station to accommodate a wheel chair



# Who Does the Act Cover?

---

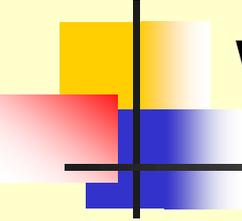
- Act protects **Qualified Individuals with Disabilities** from Employment Discrimination
  - What is a “disability”?
  - Who is a “qualified individual with a disability”?



# Who Is an “Individual with a Disability”?

---

1. Has a physical or mental **impairment** that **substantially limits** one or more of the person’s **major life activities**;
2. Has a record of such an impairment;  
or
3. Is regarded as having such an impairment



# What Is an “Impairment”?

---

1. Has a physical or mental **impairment** that substantially limits one or more of the person’s major life activities

\*\*\*

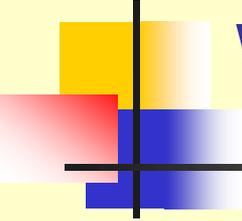
- A physical or mental disorder
- Not determined by use of medication or assistive device

“...one or more of the person’s major life activities” –

## What is a “Major Life Activity”?

---

- A function that the average person can perform with little or no difficulty.
- Examples:
  - Walking
  - Speaking
  - Breathing
  - Performing manual task
  - Seeing
  - Hearing
  - Learning
  - Caring for oneself
  - Working



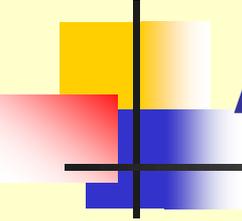
# What Is “Substantially Limits”?

---

1. Has a physical or mental impairment that **substantially limits** one or more of the person’s major life activities

\*\*\*

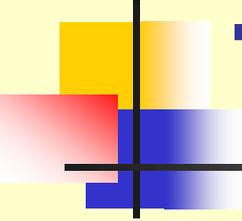
- Individual is unable to perform, or is significantly limited in his/her ability to perform, an activity compared to an average person



# To Determine if Impairment Substantially Limits Major Life Activity, Consider:

---

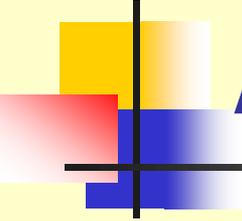
- Its nature and severity;
- How long it will last or is expected to last;
- Its permanent or long-term impact, or expected impact



# Effect of Impairment on That Individual's Life Activities

---

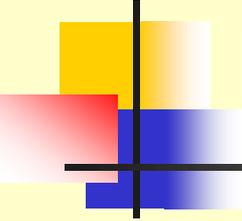
- Determination as to whether an individual is substantially limited must always be based on the **effect** of an impairment or condition of life of a **particular person**.



# Are “Temporary Disabilities” Covered?

---

- How long an impairment lasts is **one** factor to be considered, **but** not by itself.
- Must look at the extent, duration, and impact of the impairment.



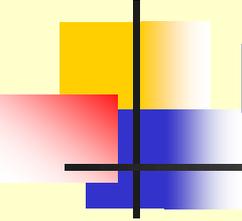
# Record of a Substantially Limiting Condition

---

2. “Has a record of such an impairment”

\*\*\*

- Protects people having a history of a disability, whether or not they currently are substantially limited in a major life activity



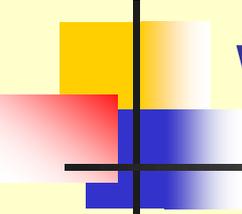
# Regarded as Having Substantially Limiting Condition

---

3. “Is regarded as having such impairment”

\*\*\*

- Protects people who are **not** substantially limited in a major life activity **but** are perceived to have such a limitation



# Who Is a “Qualified Individual with a Disability”?

---

“Act Protects **Qualified** Individuals with Disabilities from Employment Discrimination”

\*\*\*

- Individual with a disability who “. . . satisfies the **requisite skill**, experience, education and other job-related requirements of the employment position such individual holds or desires, and who, **with or without reasonable accommodation**, can perform the **essential functions** of such position.”

# Step 1 -

## Meet Prerequisites for Job?

---

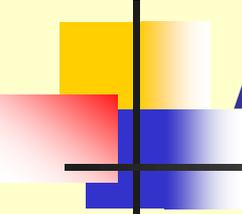
- Education
- Work Experience
- Training
- Skills
- Licenses
- Certificates
- Other Job-Related Requirements

# Step 2 –

## Perform Essential Functions?

---

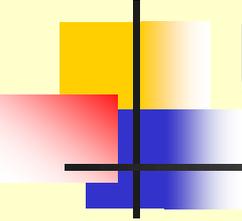
- Determine if individual can perform essential functions of the job with or without reasonable accommodation
  - Identifying “essential functions of the job”; and
  - Considering whether the person with a disability can perform these functions, unaided or with a “reasonable accommodation.”



# When Is Reasonable Accommodation Applied?

---

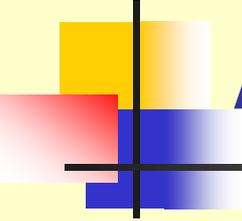
- In three aspects of employment:
  - In application process; e.g. wheelchair accessibility to building
  - To perform essential functions of job; e.g., restructuring a job by redistributing marginal job functions
  - To enjoy equal benefits and privileges of employment
    - Equal access to lunchrooms, rest rooms, meeting rooms, etc.
    - Equal opportunities for advancement, training, etc.



# Undue Hardship

---

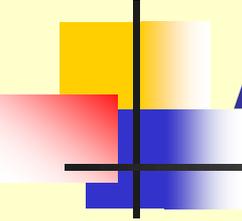
- No change or modification is required if accommodation would impose an “undue hardship” on organization
- Is specific accommodation requiring significant difficulty or expense
- Is statutory limitation
- Determination is made on case-by-case basis



# When Is Reasonable Accommodation Not Required?

---

- If person has not been determined to be a “qualified individual with a disability”
- If accommodation would impose an undue hardship on the organization
- When to do so would lower quality or production standards
- When accommodation would provide personal-use items; e.g., glasses, hearing aid, etc.

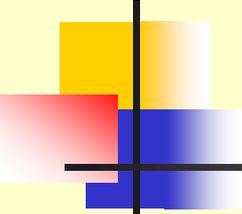


# How to Request Reasonable Accommodation?

---

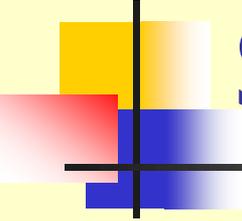
- Is responsibility of the applicant or employee with a disability to request a reasonable accommodation.

# Employee Requests and Responsibilities



---

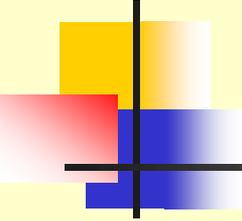
- May be made orally or in writing to first- or second-level supervisor or Fort Bliss Disability Program Manager
  - Suggest accommodation options
  - Relate to medical condition
- Participates in interactive process to clarify needs
- May need to provide medical documentation



# Supervisor Responsibilities

---

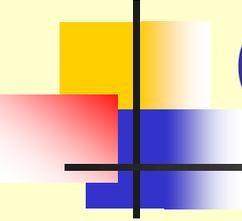
- Receives reasonable accommodation request
- Engages in interactive process to clarify what employee needs
- Contacts: Fort Bliss Disability Program Manager,
- Maintains confidentiality
- Responds expeditiously
- Have employee and physician to complete RA Request Form



# Disability Program Manager

---

- Fort Bliss Disability Program Manager
- EEO Office
- Phone: 915-568-6066 / 3510



# Conclusion

---

- Is fundamental statutory requirement
- Removes workplace barriers for qualified individuals with disabilities
- Is determined by facts of each particular case
- Is provided on a case-by-case basis

**[Click here to receive credit for training.](#)**