Case Study

Mr. West works as a director of the Information Technology/Reasonable Accommodation Department of a multinational Insurance company, which has a central and formal process related to reasonable accommodation (RA) and ADA observance. Mr. West mentions that his company is proactive in reaching out to all employees related to reasonable accommodations. This ensures that the company understands the needs of the employees, and helps the employees to address their needs from the very beginning. The company believes that reasonable accommodations serve to make work and life easier for all employees. Relevant departments (such as legal, HR, and managers) work together in partnership to help employees address their work needs and be aware of the impact of RA considerations on the workplace while maintaining confidentiality. The company has several channels available for requesting and addressing reasonable accommodations, including face to face communication, online, and written requests. In addition, RA-related information and procedure are available on the company's website. Managers can make discretionary decisions such as purchasing requested RA items if they cost less than $500. The company also has a monitoring and tracking system to examine if accommodations are implemented in a timely manner and if the reasonable accommodations facilitate the employees' performance and meet their needs. All these serve to boost trust and communication in the workplace.

In addition to the formal RA process, managers also have the option to provide RAs through an informal process. The company holds that RA is a win-win approach: it serves to meet the needs of employees with disabilities, by providing them with equal opportunity in employment while maintaining the company's productivity and efficiency. In certain situations where an employee with disabilities does not meet the performance standards of his/her job duties with existing reasonable accommodations, the company may suggest further supports (such as job coaches) to assist the employee to enhance his/her work performance.

Reasonable Accommodations

Researchers at the University of Maryland conducted a research study on Reasonable Accommodations (RA) using mixed-method approaches (survey, in-depth interview, and focus group) to examine factors that influence the request for and provision of RA. With almost 600 participants in our studies, we were able to explore the factors and dynamics involved in the reasonable accommodation request and provision process.

According to our studies, providing RA involves a six-step interactive process:
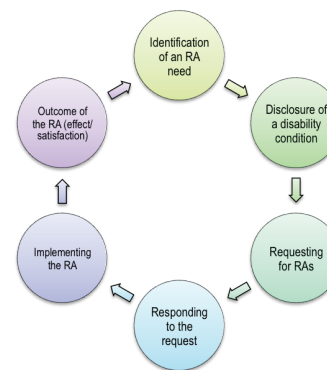
1. Identify a reasonable accommodation (RA) need

2. Disclose a disability condition

3. Request the RA(s)

4. Respond to the RA request

5. Implement the RA

6. Evaluate the subsequent RA outcome

As the employee is typically the initiator of RA requests, the process is described from this perspective. At times, supervisors might observe a challenging situation and work with the employee to initiate a RA request before there are performance problems.

What follows are the most important factors derived from the research that lead to successful RA outcomes from the perspective of employer. In defining "successful" accommodations, we were most interested in those that were effective (addressed the need and did not over or under-accommodate), and satisfactory (to the employee and supervisors)..

ADA & COLLEGE OF EDUCATION

Employers' Top 10
RA factors contributing to successful provision and outcomes of reasonable accommodations

1 Communication is the key to successful provision of accommodations. Successful accommodations are a match between the needs of the employee and the requirements of the job.

2 Trust is the basis for clear communication between employee and employer. Without it, employees may hesitate to identify their needs, and employers may attribute the request to performance inadequacies.

3 Successful accommodations are measured by both satisfactoriness (enhance ability to perform the essential functions of the job and improve task performance) and satisfaction (responsive to employee's task completion needs). Solutions that are not matched to employee's needs seldom work.

4 Creativity and investment of time are important in the provision of accommodations. Accommodations come in "units of one"; this means that each RA request should be considered on an individual basis and requires ongoing collaboration.

5 Optimizing the value of employees to the organization is the desirable outcome of the accommodation process. Accommodations enable qualified employees to meet job performance requirements effectively and efficiently.

6 A proactive approach to workplace supports, including reasonable accommodations, leads to positive experiences with RA outcomes. RA should be viewed within the larger context of universal design and return on the investment in human capital.

7 Work can be considered a social process. Optimal organizational accommodation policies reinforce the universal benefits of all types of employee accommodations (daycare, family leave, universal design among others).

8 Workplace accommodation policies and procedures should be clear and explicit for all employees. Direct supervisors and managers may need additional training and assistance in understanding and complying with the company's accommodation process.

9 You do not need to re-invent the wheel on accommodations. Take advantage of the many credible resources available outside the organization to assist in identifying solutions to a specific RA request. In challenging cases, the more assistance and support you request, the more likely it is you will find a satisfactory solution.

10 Keep abreast of the ADA amendments and policies/regulations related to RA, and examine implications in your workplace. Explore how assistive technology and the latest information technology may affect RA request, provision, and impact on your workplace.

> *…we have a class here that we offer that all of our new supervisors and mid-level managers have to take. It is called "Model Manager" and two hours of that focuses on fair employment processes, things we focus on are FMLA and ADA and disabilities awareness. So our people are very aware; the HR staff goes through hours of training every year and I am involved with the EEOC and so with that I get additional training. I try to stay networked with the EEOC because twice a year they have classes that employers would go to so that we understand any changes of things coming up…*
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> *From a manager of a multi-state company*

> *When J. actually resigned at one point, I guess I tried to express as sternly as I could that "you can work where you want, we're not going to force you to stay but if it's because of an accommodation, give us a chance" and I just said it with passion, "give us a chance" because our investment, I'll be very frank, our investment in J. was great to get him certified. It's about three months of employment plus we sent him away for testing for a week, so you've got all those costs and then he's excellent at it and the people we serve need that excellence.*
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> *From an executive director of a non-profit organization*