

ADA BASICS

1. The Employee indicates he or she has a disability or some physical or mental condition and requests some change in how to do the job. This triggers the ADA process. The process triggered is the Interactive Process between the Employer and Employee.
2. The Employer and Employee engage in the Interactive Process (meeting or meetings with a designated Manager and the Employee).
 - Involve the fewest number of people to be effective.
 - Confidentiality.
 - Good faith discussion.
 - A medical assessment by a Physician is needed and may be given to the HR person only; not the Manager if there is an HR person).
 - A medical release may need to be signed.
 - The Employer and Employee ascertain the essential functions of the position.
 - Discuss impairment and what the Employee can and cannot do related to the essential functions – use the Physician’s information and restrictions.
 - Discuss whether there are accommodations that can enable the Employee to perform the essential functions. Come up with ideas.
 - The Employer must try to accommodate unless it would be undue hardship.
 - Job Accommodation Network: [(800) 526-7234 or at <https://askjan.org>]
 - The Employer does not need to create a job.
 - Removing the essential functions of the job is not a ‘reasonable accommodation’.
 - If time off is the accommodation, the Employee must, at a designated certain time (6 months at most), be able to resume performance of the job.