

What	are 4	key	things	an emp	oloyer :	should	know	about .	ADA
Com	pliano	e							

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How and When to Conduct ADA Compliant Medical Inquiries

What is a Reasonable Accommodation

How to Engage in Interactive Discussions

4

Follow up on effectiveness

ADA COMPLIANT MEDICAL INQUIRIES – UPFRONT

What is an Employer Allowed to Ask to Determine Whether the Employee has an ADA qualifying condition?

Employer is entitled to sufficient supporting documentation. This means the documentation describes:

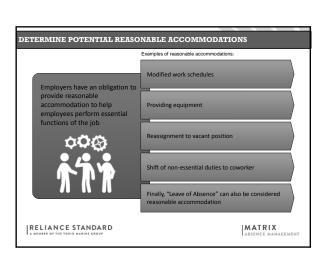
- $\mbox{--}$ The nature, severity, and duration of the employee's impairment; and
- $\mbox{--}$ The activity or activities which the impairment limits; and
- -- Substantiates why the requested accommodation is needed.

ADA COMPLIANT MEDICAL INQUIRIES – UPFRONT

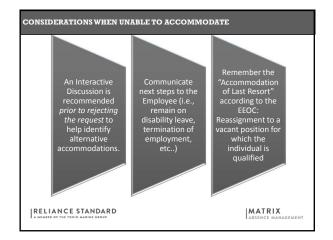
If the Employer does not provide Sufficient Documentation, What Follow-Up Information can the Employer Require?

- Overarching Rules of Inquiry:
 -- Job-Related and Consistent with Business Necessity Job-related = Essential Job Functions
- Can't contact the employee's treating provider without authorization to do so (or employee presence at clarification inquiry)

DEFINING ESSENTIAL JOB FUNCTIONS Five questions to help decide whether a function is an essential function: 5. What happens if the function is not performed? MATRIX ABSENCE MANAGEMENT RELIANCE STANDARD



ENGAGE IN THE INTERACTIVE PROCESS				
Meet with employee to discuss possible accommodations and under Goal is to find an accommodation that works for the employer and allows the employee to of the job. Consult with the employee's medical provider to help understand the employee accommodations.	stand issues perform the essential functions 's limitations and possible] -		
Approach each request with an open mind		-		
Medical Documentation – Employer is entitled to reasonable docume employee's disability and need for accommodation from a health car disability and need are obvious		-		
Discuss restrictions on what the employee can or cannot do – Use th their position	e job description for	-		
Consider accommodations outside of the employee's job (e.g., transf open position) if accommodations are not available at the current job		-		
RELIANCE STANDARD A MEMBER OF THE TOUGH MARINE GROUP	MATRIX ABSENCE MANAGEMENT			
EFFECTIVENESS – FREQUENT FOLLOW UP				
		_		
Remember, an accommodation must be REASONABLE AND E An EFFECTIVE ACCOMMODATION is one that helps the emplo functions of his or her job.		-		
Therefore, it is critical to follow up with the employee's super determine whether the accommodation you have provided is		-		
If it's not – start the interactive process again to determine if alternative or additional reasonable accommodation that wil		-		
		-		
RELIANCE STANDARD	MATRIX ABSENCE MANAGEMENT	-		
		-		
CRITICAL ADA "RISK MANAGEMENT" MINDSET				
The process followed in exploring potential Certainty lies in the reasonable process of exploring	The interactive process is the best	-		
accommodations is reasonable equally as important accommodations, as the decision to not in the results	way to ensure options are considered and the	-		
accommodate	employee is heard	-		
		-		
RELIANCE STANDARD	MATRIX ABSENCE MANAGEMENT	-		



QUESTIONS??

THANK YOU!

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RELIANCE STANDARD

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