

JAN
Job Accommodation Network
Practical Solutions • Workplace Success

Ask JAN So You Have A Plan
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JAN is a service of the U.S. Department of Labor's
Office of Disability Employment Policy.

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Ask JAN So You Have A Plan **JAN**
Job Accommodation Network

Overview

- JAN Services
- Interactive Process
- Examples
- Q&A




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Ask JAN So You Have A Plan **JAN**
Job Accommodation Network

Overview

- Job Accommodation
- Americans with Disabilities Act / Rehabilitation Act
- Self-employment





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Ask JAN So You Have A Plan 

Overview

- Over 25 Years of Service
- Experienced
- Free
- National
- Easy to Use




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Overview

- Employers
- Individuals
- Service Providers
- Others




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Ask JAN So You Have A Plan 

Ask JAN and we...

- Meet you where you are.
- Help meet timelines.
- Assist with the interactive process.
- Give targeted technical assistance.
- Provide comprehensive resources.
- Maintain confidentiality.
- Work as your partner to enable you to hire and retain talent.

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Reasonable Accommodation Procedures Should:

- Be Streamlined
- Be Flexible
- Explain Rights, Responsibilities, and Terms
- Expedite Accommodations



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JAN's Interactive Process



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**Step 1:
Recognizing an Accommodation Request**

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An employee tells her supervisor she is having trouble getting to work at her scheduled time because of medical treatments she is undergoing. It is known by both her work is piling up.

Is this an accommodation request?



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Is this an accommodation request?

Yes.

- Related to medical condition
- Does the supervisor know what to do?



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An employee comes to work smelling of alcohol. The employer confronts the employee. He admits he's been drinking.

Is this an accommodation request?



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Is this an accommodation request?

No.

- No underlying medical condition causing a problem at work
- "Is there anything we can do . . ."
- Refer to EAP if available



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**Step 1:
Recognizing an Accommodation Request**

TIPS

- Err on the side of caution
- Act quickly
- Assign responsibility
- Conduct training



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**Step 2:
Gathering Information**

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In response to a poor performance evaluation, a teacher discloses that she has multiple sclerosis that is contributing to her performance problems and says she needs an accommodation.

Do we have all the information we need?



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Do we have all the information we need?

Probably not.

- Do not know limitations
- Do not know problem



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In the past, an employee with multiple chemical sensitivity asked not to have to attend face-to-face meetings in the office, but rather to attend them remotely. The employee recently asked to attend a week-long training remotely.

Does the employer have all the information needed to process this request?



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Does the employer have all the information needed to process this request?

Yes.

- Employer has documented a disability
- Employer has documented the need for the accommodation



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**Step 2:
Gathering Information**

TIPS

- Find out the limitation and problem
- Get information from the employee when possible
- Remember Rehabilitation Act rules for medical inquiries



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**Step 3:
Exploring Accommodation Options**

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A call center employee with heart/circulatory problems needs to take breaks to move around. Allowing more breaks will interfere with the employer's call routing system.

How can we figure out what else might work?



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How can we figure out what else might work?

Call JAN!

- Under desk pedal device
- Meets employees needs without leaving his desk



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An individual with PTSD works in a museum that was undergoing renovations. Interacting with construction workers who were strangers caused the employee extreme anxiety.

How can we figure out what else might work?



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How can we figure out what else might work?

Call JAN!

- Check in procedure and safety badges for all visitors
- Flexibility in break time to access supports via phone and text



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A federal employee with lupus works in a large room with cubicles and asks the employer to remove or filter all the overhead lights in her area.

How should the employer decide which accommodation to choose?



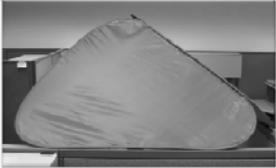
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How can we figure out what else might work?

Call JAN!

- CubeShield
- Meets employee's needs with a low cost solution



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**Step 3:
Exploring Accommodation Options**

TIPS

- Keep an open mind
- Invite the employee to suggest accommodations
- Ask the employee's medical provider for ideas
- Use JAN when needed



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**Step 4:
Choosing an Accommodation**

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A federal employee with diabetes had a strong body odor that he could not reduce until he got his diabetes under control. His agency was considering putting up cubicle walls and an air-purifier in his work area. His job could be done from home but the agency was concerned about isolating the employee.

How should the employer decide which accommodation to choose?



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How should the employer decide which accommodation to choose?

Talk with the employee!

- Employee preferred to work at home so not forced isolation
- Employee was more concerned about the cubicle/air-purifier drawing attention



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An employee with a hearing impairment chose not to wear hearing aids, but he asked his employer to purchase an assistive listening device so that he could hear in meetings.

Is this within the employer's right to choose an effective accommodation?



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Is this within the employer's right to choose an effective accommodation?

No.

- Hearing aid is a personal need item
- Cannot require employees to use personal need items instead of accommodations



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An employee with high blood pressure has a self-trained service dog and asks his employer to allow him to bring his service dog to work.

Can the employer reject the accommodation because there is no proof?



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Can the employer reject the accommodation because there is no proof?

No.

- Trial period
- Date to assess



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**Step 4:
Choosing an Accommodation**

TIPS

- Consider the employee's preference
- Consider a trial period



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**Step 5:
Implementing the Accommodation**

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A secretary with a shoulder injury and 10 pound lifting restriction had to get bulk items weighing more than 10 pounds from the storage closet. Her employer purchased her a small lifting device for office settings.

Is this all that has to be done?



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After the employer purchases the device, is this all that has to be done?

Not usually.

- May need to be assembled
- Employee may need instruction in use
- Route of travel may need to be established



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An employee was in a car accident and became quadriplegic. He and his employer agreed speech recognition software would enable him to return to work and installed it prior to his return.

Is this all that has to be done?




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Is this all that has to be done?

No.

- Important to think about training




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A federal agency recently moved its office to a new location, and an employee with cerebral palsy cannot open the entrance doors so asks his employer to install automatic doors. Instead the employer opted to have a co-worker open the door.

Is this all that has to be done?




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Is this all that has to be done?

Not in this case.

- May be other options
- Solution should be reliable



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**Step 5:
Implementing the Accommodation**

TIPS

- Make sure all necessary steps are taken to implement the accommodation
- Communicate with essential personnel about the accommodation



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**Step 6:
Monitoring the Accommodation**

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An auditor with progressive vision loss from macular degeneration started using screen reading software a year ago. Recently the agency purchased new database software only to find out that the employee's screen reading software would not work with the new database.

How could the employer have avoided this problem?




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How could the employer have avoided this problem?

When purchasing new products and equipment:

- Remember to consider accessibility issues
- Do not forget about existing accommodations




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An employee with fragrance sensitivity asks her employer to implement a fragrance ban in the office. The employer decides to implement a fragrance free policy and sends out a notice to all employees, but several employees hired later wear perfume.

How could the employer have avoided this problem?




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How could the employer have avoided this problem?

When monitoring an accommodation:

- Modify written policy
- Implement policy into orientation training
- Purchase fragrance free supplies



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An employee with Parkinson's disease has been working at home three days a week for two years. A new supervisor comes in and decides that no one is going to work at home more than one day a week.

Do you think the new supervisor can make such policy changes?



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Do you think the new supervisor can make such policy changes?

Yes.

- Not a violation of the Rehabilitation Act for a new supervisor to change policies
- Is a potential violation if not considering existing accommodations
- Should enter into a new interactive process
- Always check on existing accommodations before a new policy is implemented

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Situation: A janitorial worker was deaf and also had low vision. He worked on a crew that cleaned federal buildings. The employer was concerned about the employee's safety in the event of an emergency as the employee could not detect strobe alarms or read text messages on a vibrating pager. His employer decided to implement a buddy system so assigned a coworker to help the employee in the event of an emergency. The coworker quit a few months later, but no one else was assigned to help the employee.



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Solution: After an emergency drill, the employer realized that more than one person should be assigned to assist in an emergency to address the issue of a coworker quitting or even being absent on the day of an emergency event. In addition, the employer assigned someone to monitor the emergency plan and to adjust it if needed when someone leaves employment.



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Reported Benefit: Gave the employer and employees peace of mind, helping make sure that all employees get out and are safe in the event of an emergency.

Reported Cost: \$0.



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**Step 6:
Monitoring the Accommodation**

TIPS

- Check on effectiveness
- Maintain the accommodation
- Encourage ongoing communication



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Accommodation Examples

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Example

An electronic engineering technician with bipolar disorder had difficulty managing his emotions while experiencing the side effects of periodic prescription changes.



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Accommodation Issues: Emotions

- Encourage the use of stress management techniques to deal with frustration
- Allow telephone calls during work hours to doctors and others for needed support
- Allow the presence of a support animal
- Allow flexible breaks
- Refer to EAP



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Accommodation

The individual was accommodated with a more flexible schedule and allowed to take breaks to call his counselor when experiencing heightened emotions.



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Example

An attorney with depression experienced memory deficits due to medication, affecting his ability to recall actions and activities during depositions. The attorney became frustrated and continued to miss and reschedule meetings.



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Attendance

- Allow flexible work environment:
 - Flexible scheduling
 - Modified break schedule
 - Leave for counseling
 - Work from home/Flexi-place
- Modify environmental triggers



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Accommodation

The attorney was given an alternate site to take depositions. He was moved to a smaller conference room with natural lighting away from office noise.



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Example

An accountant with cancer requested telework while undergoing treatment. The employer stated that he was not completing work tasks in a timely manner.



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ACCOMMODATION:
The employer allowed telework from home and provided a laptop.



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COST: \$1,600

BENEFIT: The employer reported a sense of goodwill and social responsibility. The employer also stated that a back-up person was no longer needed.



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<http://www.cap.mil>



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<http://www.dm.usda.gov/oo/target/>



Executive Order 13546 Training

Federal Disability Employment Across America Webinar Series

Executive Order 13546 Training

Presented by OPM in Partnership with Tull EOP and USDA NDEEF Center

was available for viewing

- Executive Order 13546 and its implications
- Why Tull EOP?
- USDA's Program Process and Solicits Program Process Coordinator Success Stories

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