

Checklist: ADA Reasonable Accommodation

When an employer has information that a disability may be interfering with an employee's ability to perform their job, the organization may take the following steps.

Identify the Need for Accommodation

- ☐ Unless there is an observable basis or other objective evidence the employee has an impairment affecting job performance, do not ask if they need an accommodation.
- ☐ Instead, ask the employee if there is any way the employer can assist the employee in performing the job tasks. No reference to the Americans with Disabilities Act (ADA) is necessary at this point.
- ☐ If the employee declines assistance, no further action is necessary. The employee may be held to the same performance and conduct standards as other employees.

Engage In the Interactive Process

If the employee discloses the need for assistance due to disability, continue with the following steps.

- ☐ Determine whether there is medical documentation or other reliable, objective information to conclude that the employee has a physical or mental impairment that substantially limits a major life activity.
- ☐ Review the employee's job description and determine the essential functions of the job. Identify nonessential job tasks that may be reassigned to other employees for purposes of accommodation.
- ☐ Discuss possible accommodations with the employee, their health care providers, and supervisors who have knowledge of the worksite and job. Engage other professionals, such as the employee assistance program (EAP) counselors or a vocational or rehabilitation counselor, as appropriate.
- ☐ Determine whether the employee's preferred accommodation creates an undue hardship for the employer. If so, suggest and discuss alternative accommodations.

Obtain Medical Information If Necessary

When the disability and/or the need for accommodation is not obvious, the employer may ask the individual for reasonable documentation about his or her disability and functional limitations.

- ☐ If documentation from a health care provider is necessary, have the employee sign a medical release form.
- ☐ Provide the employee with an ADA [medical accommodation certification form](#) to be completed by his or her health care provider.
- ☐ Provide a copy of the job description to the health care provider and have the provider indicate what major life activity or activities are limited.

Assess Risk of Substantial Harm

Determine whether the proposed accommodation, or the employee continuing to work without one, poses a direct threat to themselves or others. Direct threat under the ADA is "a significant risk of substantial harm." This is a very narrow exception that may warrant denying an accommodation or terminating employment.

- ☐ Base your assessment of direct threat on valid medical analyses and/or other objective evidence, not on speculation.
- ☐ Determine whether the employee is a direct threat to themselves or to others in performing the job tasks.
- ☐ If so, document the direct threat by identifying the risk caused by the limitation, the potential harm that could result, and the medical or observable facts on which the risk is based.

Retain Documentation

- ☐ Identify and document the reasonable accommodation given, the reason no accommodation was needed or why the accommodation request was denied.
- ☐ Keep all medical information in a file that is separate from the employee's personnel file.