



Frequently Asked Questions About Accommodations in Employment

Does the Americans with Disabilities Act (ADA) apply to my employer?

It depends. Title I of the ADA applies to state and local governments and private employers who have 15 or more employees.

What is an accommodation?

An accommodation is something that helps a person perform the essential functions of their job. These include modifications/adjustments of the employee's physical work area and other changes that allow employees equal access.

When do I disclose my disability to my employer?

You don't have to tell your employer about your diagnosis unless you're asking for an accommodation.

I have multiple diagnoses. Does my employer have to know about every diagnosis I have?

No. The only diagnoses your employer needs to know about are the ones in which you are requesting accommodations.

How do I get accommodations?

Employee accommodations are a result of an interactive process. The ADA doesn't require a written request for accommodations. However, KY P&A strongly advises employees to submit requests for accommodations in writing. Below are KY P&A's recommended steps:

1. Identify the work task you need help in doing.
2. Think about possible accommodations. For ideas of possible accommodations, please visit the Job Accommodations Network site www.askjan.org.
3. Talk with your doctor or mental health provider about your work issue and possible accommodations.
4. Ask your doctor or mental health provider to write a letter supporting the accommodations.
5. Write a letter to your employer's human resources office requesting accommodations.
6. Make a copy of your and the support letter for your records.

7. Send the letters.
8. There should be a meeting with you, your direct supervisor, and human resources about your request.

Does my employer have to provide exactly everything I request?

No. Employers and employees may need to negotiate about specific accommodations which may be needed.

Are there times when my employer doesn't have to accommodate me?

Yes. According to federal law, employers don't have to fulfill a request if the accommodation:

1. Would change the essential functions of the employee's job.
2. Would cause an "undue hardship" on the employer. This means that the accommodation would cause a significant strain on the business.

Is my employer allowed to tell my co-workers about my diagnosis or accommodations?

No. This information is confidential and shouldn't be shared with anyone other than management.

What do I do if my employer won't provide me with accommodations?

Contact Kentucky Protection & Advocacy as soon as possible after the denial. Our office will be able to provide guidance on your situation.

Want more information on employment accommodations?

ADA National Network: <https://adata.org/factsheet/reasonable-accommodations-workplace> .

Equal Employment Opportunity Commission: <https://www.eeoc.gov/eeoc-disability-related-resources>.

Job Accommodations Network: <https://askjan.org/info-by-role.cfm#for-individuals>.

U.S. Department of Labor: <https://www.dol.gov/general/topic/disability/jobaccommodations> .



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