



## focus: reasonable accommodation

### Adopt a bird's-eye view to determine your responsibilities to a disabled staffer

If a crew member asks for an accommodation of his or her disability, your first responsibility is to figure out whether you can provide a so-called reasonable accommodation.

But what does that mean?

According to the EEOC, an accommodation is considered reasonable if it

- is feasible or plausible
- meets the needs of the disabled individual
- enables the person to perform the essential functions of the job

In addition, an accommodation can't present an undue hardship to the employer. While the EEOC hasn't established a definition of undue hardship, it usually means the

arrangement would cost too much money or cause a significant inconvenience for the coworkers of the disabled employee.

But each case is different.

#### Outsider looking in

Your best bet is to imagine you're an outsider looking in. With that bird's-eye view, you can determine, for instance, whether it's reasonable to allow a person with a sleep disorder to work consistent shifts rather than rotating shifts.

Key: If an accommodation seems reasonable from the perspective of an outsider, it'll probably also seem reasonable from the perspective of a judge or a jury considering the merits

of an ADA lawsuit.

Don't forget that the ADA also says disabled workers must be able to enjoy all the benefits of employment, including company-sponsored events.

So if a disabled employee can't go to a particular restaurant for a company luncheon because the facility isn't ADA accessible, you might have to choose a different restaurant.

The important thing to remember is that if someone brings an ADA lawsuit, he or she has only to prove that a suggested accommodation was possible; it's up to the employer to show that the proposed accommodation wasn't reasonable.

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