

# Arizona Center for Disability Law

Protection and Advocacy System for Arizona

## The ADA and Reasonable Accommodations

### A Self-Advocacy Guide

5025 East Washington  
Suite 202  
Phoenix, AZ 85034-2005  
602-274-6287 (voice or TTY)  
800-927-2260 (toll free)  
602-274-6779 (fax)

100 North Stone Avenue  
Suite 305  
Tucson, AZ 85701  
520-327-9547 (voice or TTY)  
800-922-1447 (toll free)  
520-884-0992 (fax)

[www.azdisabilitylaw.org](http://www.azdisabilitylaw.org)  
[center@azdisabilitylaw.org](mailto:center@azdisabilitylaw.org)

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Federal and state law can change at any time. If there is any question about the continued validity of any information in the handbook, contact the Arizona Center for Disability Law or an attorney in your community.

The purpose of this guide is to provide general information to individuals regarding their rights and protections under the law. It is not intended as a substitute for legal advice. You may wish to contact the Arizona Center for Disability Law or consult with a lawyer in your community if you require further information.

This guide is available in alternative formats upon request.

# THE ADA AND REASONABLE ACCOMMODATIONS

## TABLE OF CONTENTS

I. Questions About Reasonable Accommodations	1
A. What Is a Reasonable Accommodation?	1
B. Must an Employer Provide Any and All Accommodations?	3
C. When Must An Employer Provide Accommodations?	4
D. Do Employers Have to Provide Personal Items as a Reasonable Accommodation?	5
E. Must an Employer Provide a Reasonable Accommodation for An Employee Whose Family Member is Disabled?	6
F. Can my Employer Provide Me with Any Accommodation It Chooses?	6
II. Steps for Requesting and Getting An Accommodation	6
III. Working with Your Employer to Decide on an Accommodation	8
A. Evaluation of the Particular Job to Determine Its Purpose And Essential Functions	8
B. Discussion with the Individual with a Disability About Specific Physical or Mental Abilities and Limitations	8
C. Can I Refuse an Accommodation Offered By My Employer?	9
D. Giving the Employee or Applicant an Option of Providing An Accommodation that Would Otherwise Be Too Burdensome for The Employer	9
E. Finding Other Funding Sources	11
F. Technical Assistance	12
IV. General Information About this Guide and the Americans With Disabilities Act (ADA)	12
A. How the Arizona Center for Disability Law Assists People With Disabilities	12
B. This Guide is Not a Substitute for Legal Advice	12
C. What the ADA Covers	13
D. Why the ADA Includes Employment Protections	13
E. When the Employment Protections of the ADA Apply	14
F. Employers Covered By the Employment Protections of the ADA	15
G. Applicants or Employees with a Disability	16

Appendix:	17
Generic Accommodations	17
Optional Form for Employee or Applicant to Request Reasonable Accommodations	23
Sample Form for Employee or Applicant to Request Reasonable Accommodations	24
Optional Form to Use as a Guide When Seeking Documentation of Disability/Accommodation	25
Sample Use of Form for Documentation	26
Financial Assistance to Employer for Accommodation	27
Resources for Obtaining Information about Reasonable Accommodations in the Workplace for Employees and Applicants with Disabilities and Employers	28

## **I. Questions about Reasonable Accommodations**

### **A. What Is a Reasonable Accommodation?**

A reasonable accommodation is any change in the work environment or the way things are usually done that gives an individual with a disability an equal employment opportunity.

Here are some examples of accommodations employers may need to offer to an employee:

#### **CHANGES TO A BUILDING OR WORK LOCATION TO MAKE THE AREA ACCESSIBLE AND USABLE BY AN INDIVIDUAL BECAUSE OF A PHYSICAL OR MENTAL DISABILITY**

Sheryl is hired as an office manager. The desk in her office is too low for her wheelchair to fit under. Her employer may buy her a different desk with adjustable height and raise the top of her desk.

James has a traumatic brain injury. Since his accident, the noise and distractions from his co-workers make it difficult for him to do his job. His employer may construct a cubicle for him to work in, or provide headphones or use of a machine that reduces background noise.

#### **JOB RESTRUCTURING: EXCHANGING UNIMPORTANT DUTIES BETWEEN CO-WORKERS**

Tim is a secretary who has epilepsy and is not able to drive because he has seizures. Occasionally, his boss needs the secretary to deliver a report. Another co-worker in the supply room can run the errand while Tim covers the supply room.

#### **PART-TIME OR MODIFIED WORK SCHEDULE**

Jane works as a stocker in a grocery store. She has a mental illness. Jane goes to a group counseling session one time per week. Her employer may allow Jane to leave an hour early on the day of her session, but come in an hour early on the next work day.

#### **FLEXIBLE LEAVE POLICIES**

Megan, who is blind, is a lawyer recently hired in a law firm. She has just gotten a new service animal and must train it at a two week. The employer has a leave policy that no employee can take leave during the three-month probationary period. The employer may make an exception to the leave policy.

## **ACQUIRING OR MODIFYING EQUIPMENT OR DEVICES**

Dennis is a receptionist with a moderate hearing impairment. He uses a hearing aid but also needs an amplification device for the telephone to hear callers. His employer can purchase this device for Dennis.

Anthony is a school teacher with limited use of his arms due to rheumatoid arthritis. His employer sets up a lazy Susan on his desk to put the materials he frequently uses and a music stand to place heavy textbooks.

## **ADJUSTING OR MODIFYING EXAMINATIONS, TRAINING MATERIALS, OR POLICIES**

Elizabeth has Post-Polio Syndrome. She is hired for a part-time position as a sales consultant and is required to attend a full-day training seminar. Due to fatigue, she may need to attend two half-day training sessions as an accommodation.

## **PROVIDING QUALIFIED READERS AND INTERPRETERS**

Jesse is deaf. He will need a sign language interpreter when he is granted an interview for a position as a research assistant for a professor.

## **ALTERING WHEN OR HOW AN IMPORTANT JOB FUNCTION IS PERFORMED**

Brittany has a learning disability and Attention Deficit Disorder. She works as an insurance adjuster. Her duties include data entry of information she obtains from new customers, sales work, writing up policies, and investigating claims. Because of her disability, data entry is difficult if she does not do it early in her day when her concentration is at its best. Her employer may allow her to do the data entry in the morning and her other job duties during the rest of the day.

## **CHANGES IN SUPERVISORY STYLE**

Joyce is employed as a secretary in a large office. Her boss usually tells her what she wants done as she thinks of it. After removal of a brain tumor, Joyce has had difficulty remembering whether or not she has completed assigned tasks. A possible reasonable accommodation would be for her supervisor to prepare a written list of daily tasks that Joyce could "mark off" as she completed them.

## **EMPLOYER ASSISTANCE GETTING TO AND FROM AN ACCESSIBLE JOB SITE**

Keith, who uses a wheelchair, applied for and obtained a job in a mall. Although the store is accessible, the route in the mall to the store is not. Keith's boss may need to work with management of the mall to provide a ramp or have someone assist Keith to get to the store.

## **PERMITTING USE OF ACCRUED PAID LEAVE OR UNPAID LEAVE FOR NECESSARY TREATMENT**

Dwayne is a waiter who has been diagnosed with a relapse in his cancer. He needs four weeks of leave for chemotherapy and rest. Dwayne has two weeks of paid leave that he has not used. Dwayne's employer may offer him an accommodation of using his two weeks paid leave and offering him two weeks of unpaid leave. Dwayne might also be entitled to leave under the Family and Medical Leave Act (FMLA) if his employer is covered and he is an eligible employee.

## **WORKING AT HOME**

Sarah works for a medical office in collections. She makes call and writes letters to collect unpaid bills. Sarah is quadriplegic and uses a wheelchair and needs to recline at times to prevent pressure sores. She has a family member at home who can assist her. Her employer could provide the equipment and allow her to work at home.

## **REASSIGNMENT TO A VACANT POSITION**

Paul works for a hotel resort as a limousine driver. He becomes unable to drive following a traumatic brain injury. Paul uses his leave to recuperate and wishes to return to work, but is still unable to drive. Because he can no longer perform the driving even with an accommodation, he may need to be reassigned to a vacant position. He is qualified for a position as a bell captain, a maintenance worker, and groundskeeper, all of which are vacant.

### **B. Must an Employer Provide Any and All Accommodations?**

Employers need not provide accommodations that are unreasonable or place a heavy burden on the employer's budget or operations. Here are some examples of accommodations that courts often find to be "unreasonable":

- approving leave for an indefinite period;
- hiring an additional employee to handle the workload of the individual with the disability;

- permitting an employee with alcoholism to show up for work under the influence of alcohol or drugs, to drink alcohol or use drugs, or to engage in alcohol or drug-related misconduct;
- turning a temporary light-duty position into a permanent light-duty position;
- creating a light-duty position when an employer does not already have existing light duty jobs;
- lowering production standards;
- excusing an employee with a disability for unacceptable work behavior, such as aggression; and
- excusing absences that are frequent and unpredictable.

If you believe you need an accommodation that falls into one of these categories, you should check with someone who can help you come up with other ideas. Talk to your health care workers, a vocational rehabilitation counselor, or the Job Accommodation Network.

Alicia works in an office where she does word processing. Her employer expects Alicia and her co-workers to complete 6 to 8 jobs per day. Alicia is less productive in the afternoon because the effectiveness of her medication for Attention Deficit Disorder decreases. Rather than asking if this standard can be lowered for her, she may ask for an accommodation of a modified schedule that permits her to begin working earlier in the day or to be moved to an office cubicle in a less noisy part of the building.

### **C. When Must An Employer Provide Accommodations?**

There are three situations where an employer might be required to provide an employee with an accommodation:

- applying for work

Steven has a visual disability. He needs either someone to read the application form and write his responses on the application or to be able to turn in a prepared resume rather than an application to apply for the position.

- allowing an employee to do his/her job

Violet has diabetes and because of kidney failure is on dialysis. She needs to change her work hours so she can go to dialysis 2 times a week.

- enjoying equal benefits and privileges at work.

Employees with disabilities must have access to lunchrooms, employee lounges, restrooms, meeting rooms, and other employee-provided or sponsored services such as health programs, transportation, and social events.

Martha uses a wheelchair. She needs the microwave oven in the lunchroom placed on a lower table for use during lunch and breaks.

Michael is deaf. His employer is honoring Michael and other employees at an awards dinner. His employer needs to provide an interpreter for the event to accommodate Michael.

The employer's duty to provide reasonable accommodations is ongoing and may arise any time that a person's disability or job changes.

Sandy is a receptionist. She has arthritis. Sandy needs an accommodation of a headset to limit the use of her arm to hold the phone. Later, the company changes the receptionist duties to include extensive typing. She cannot type as much as is required because of her disability. The employer is obligated to consider whether there is a vacant position for which she would be qualified for reassignment.

#### **D. Do Employers Have to Provide Personal Items as a Reasonable Accommodation?**

An employer is generally NOT obligated to provide personal items as accommodations, such as wheelchairs, eyeglasses, or hearing aids. But there may be exceptions to this general rule. For example, Joe uses a manual wheelchair at home and in his personal life. At work, he is required to travel extensively through a large factory. His employer may need to provide a power wheelchair at work.

The employer's obligation to provide reasonable accommodations applies only to those accommodations that reduce barriers to employment related to a person's disability; it does not apply to accommodations that a disabled person may request for some other reason.

**E. Must an Employer provide a Reasonable Accommodation for an Employee Whose Family Member is Disabled?**

No. An employer is only required to provide accommodations for qualified individuals with disabilities.

Karen is a mother of a child with AIDS. Her son becomes ill and she needs leave to be able to help take care of him. Karen is not entitled to a reasonable accommodation of use of unpaid leave under the ADA because she is not seeking leave for her own disability. However, the FMLA may apply to offer her leave and job protection during the leave.

**F. Can my Employer Provide Me with Any Accommodation it Chooses?**

No. A reasonable accommodation need not be the “best” accommodation available, but it must be an “effective” accommodation. The accommodation must offer an equal opportunity for the person with the disability to be considered for a job, to perform the essential job functions, or to enjoy equal benefits and privileges of the job.

Ramon is a planner at a financial services company and is blind. He needs someone to read correspondence and other paperwork. If Ramon's secretary could perform the reading duties in addition to her other duties, a full-time reader would not be necessary under the ADA.

Mary is sent to a training by her company. She has a severe learning disability affecting her reading. She asks for the written materials that are used with the class to be provided on audiotape prior to the class so she can listen in advance. The other training participants are provided their materials two weeks before the class. The company tells Mary she can audiotape the training sessions rather than receive written materials. This is not an effective accommodation because the training sessions only highlight important information in the training materials.

**II. Steps for Requesting and Getting an Accommodation**

- A. People who want a reasonable accommodation need to ask the employer for it.
- B. If a worker is unable to ask for the accommodation, someone can ask on the worker’s behalf. For example, a parent, spouse, job coach, vocational rehabilitation counselor may ask the employer for an accommodation.
- C. Although an accommodation request need **not** be in writing, it is better if the

request is written. Some employers will have special forms on which to make the request.

- D. A request may be stated in plain English without using legal phrases or citing to the ADA. However, to avoid confusion, an employee should state that it is an “ADA Accommodation Request.”
- E. If your employer does not have an accommodation form, you may use the form on page 23 of this guide to help you make your written accommodation request.
- F. An ADA accommodation request should tell the employer: (1) your disability; (2) why you need an accommodation; and (3) any accommodations you might be able to suggest. You should not limit the accommodations you will consider in the request. If you do not know what possible accommodations might work, you should talk to someone who can help you. People who may be able to give you ideas are your healthcare professional, a vocational rehabilitation counselor, a job coach, a specialist from the Job Accommodation Network (JAN) or a specialist from a disability support group. On pages 28 - 34, you will find contact information for agencies that can help with accommodation ideas.
- G. If a disability or need for an accommodation is not obvious, employers may request information documenting your disability and need for an accommodation.
- H. Often, healthcare professionals want to help their patients get the proper documentation to get an accommodation, but do not know what information to provide. You and your doctor can use the form on page 25 of this guide to provide the appropriate information.
- I. Usually, an employer will not need to obtain a medical release of information. However, if you are asked to sign a release, you should not sign a general release for “any and all” medical records without getting legal advice. Most times, a specific release to either talk to your healthcare professional about why your condition is a disability or to get some limited records should be sufficient.
- J. Your employer should make a decision about your accommodation request within a reasonable time. Some employers may have a policy about accommodations which sets out deadlines for the company to act. Although the ADA does not give employers a specific number of days or weeks to act, you should follow up every 2 to 4 weeks with your employer about your request. It is better to do it in writing and save your follow-up communications. If you have e-mail, that would be a simple way to follow up.
- K. An employer may
  - Agree to the accommodation you asked for;
  - Offer an alternative accommodation;

- Agree to meet with you to come up with an accommodation;
  - Deny the accommodation; or
  - Do nothing which is the same as a denial once a reasonable period of time has passed.
- L. If your employer offers to provide you a different accommodation than the one you asked for, you should determine whether the accommodation offered is effective. An employer must take into consideration the accommodation the employee prefers. However, if there is a less costly or less disruptive accommodation than the one requested, your employer may provide a different accommodation. Any accommodation provided **must** be effective. An accommodation is effective if it allows you to have an equal employment opportunity.

Ramon is deaf. He works at the University in facilities management. As part of his job, he must go to safety training. He asks for a sign language interpreter. Instead, his employer provides him notes of the training. This is not an effective accommodation because Ramon gets only part of the information and does not get a chance to ask questions.

- M. If your employer refuses to provide you with any accommodation or to meet with you about developing a plan to accommodate you, you can file a complaint of discrimination with the state and federal agencies that enforce disability discrimination laws. For more information about filing a complaint, see the Center’s guide, “How to Enforce Your Employment Rights Under the ADA.”
- N. Your employer may have an “appeal,” “grievance,” or “open door policy” to reconsider denials of accommodation or discrimination. You may use it along with filing a complaint with state and federal agencies.

### **III. Working with Your Employer to Decide on an Accommodation**

#### **A. Evaluation of the Particular Job to Determine its Purpose and Essential Functions**

Evaluation of essential job functions outlined in a position’s “job description” is helpful in reexamining the specific job to determine or confirm the position’s essential functions and requirements.

#### **B. Discussion with the Individual with a Disability about Specific Physical or Mental Abilities and Limitations**

An appropriate accommodation may not be easily identified by the employer or the

individual alone. The employer may not know enough about the individual's functional limitations in relation to specific job functions. Likewise, the individual requesting the accommodation may not know enough about the equipment being used or about the job duties or worksite to suggest an accommodation. The employer and individual with a disability should work together in "*partnership*" to identify the appropriate accommodation. They should discuss:

- The barriers to job performance in meeting the essential job functions of the position; and
- Possible effective solutions through accommodations.

If the employer and employee/applicant cannot identify an effective and reasonable accommodation, technical resources are available to assist in doing so. There are many free and low cost resources for employees and employers listed in the Appendix.

### **C. Can I Refuse an Accommodation Offered by My Employer?**

An employee may refuse an accommodation offered by an employer. However, if the employer offers the employee an effective accommodation and the employee refuses it and his/her performance is substandard without the accommodation, the employer may lawfully give the employee a lower evaluation rating. An employee who cannot perform well without the effective accommodation s/he refuses may lawfully be fired. If an employer offers an effective accommodation that an employee does not want, the employee may be able to provide his/her own accommodation as an option. If an applicant or employee is offered an accommodation which s/he believes would be ineffective, s/he should explain in writing why the accommodation is **not** effective and why the alternative accommodation would be.

### **D. Giving the Employee or Applicant an Option of Providing an Accommodation that Would Otherwise Be Too Burdensome for the Employer**

An employer is not required to provide an accommodation if it will impose an "undue hardship" on the operation of the business. "Undue hardship" is an accommodation that is: "excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the business."

Factors to look at when deciding whether an accommodation is too burdensome are:

- The nature and cost of the accommodation in relation to the size and financial resources of the business.
- The nature and cost of the accommodation in relation to the nature and structure of the employer's operation. An employer may consider the impact of an accommodation on the ability of other employees to do their jobs.
- The impact of the accommodation on the specific facility providing the accommodation.

For example, the cost of providing specialized computer software needed by a person with cerebral palsy might be too high for a small bookkeeping firm, but not too costly for a large company or government agency.

An employer may not consider as "undue hardship" the fears, prejudices, or resentment toward an individual's disability. The employer must still provide the requested accommodation despite:

- Negative impact on morale of other employees.
- Complaints from a co-worker about specific reasonable accommodation, such as a flexible work schedule.
- "Disruption" due to employees' fears about, or prejudices toward, a person's disability.

For example, an employer refuses to hire a person with a disability who needs a part-time schedule not because the schedule would be too disruptive to the company's operations, but because her co-workers might resent that she has a part-time schedule. In this case, the refusal to accommodate violates the ADA.

The terms of a collective bargaining agreement may be relevant in determining whether an accommodation would impose an undue hardship. Since both the employers and unions are covered entities under the ADA, both should work together to develop collective bargaining agreements that do not have terms that discriminate against people with disabilities.

Usually, the fact that a requested accommodation violates a seniority system's rules makes the accommodation unreasonable. The exception to that rule is when a person bringing a lawsuit can show that special circumstances warrant a finding that the requested accommodation

is reasonable in a particular case. If you need an accommodation that might conflict with a term of a collective bargaining agreement, you should check the agreement for a variance or exception for accommodations and seek legal advice.

### **E. Finding Other Funding Sources.**

If the only accommodation possible is too burdensome for the employer, there may be several options that remain available to provide the applicant or employee with the necessary accommodation. If one of the following sources is available to fund an accommodation, an employer may not refuse to allow the accommodation.

1) State Rehabilitation Services. A resource for employees and applicants with disabilities to consider is the Arizona Department of Economic Security - Rehabilitation Services Administration (RSA). This agency provides vocational rehabilitation services to people with disabilities to help them obtain, maintain, or advance in their employment. There are numerous ways in which RSA helps individuals with disabilities in the workplace. RSA can consult with employees and their employers about what type of accommodations to provide. RSA may be able to purchase personal devices an employer is not required to provide but which an employee needs to work. RSA may be able to purchase equipment and devices or provide extended job coaching to an employee where an employer cannot provide the accommodations.

2) Industrial Commission Special Fund. For people who have a disability caused by an industrial injury and cannot return to their previous job without an accommodation, the Industrial Commission's Special Fund may be used to fund retraining or equipment or devices needed as accommodations on the job. People who have serious job-related injuries who are not covered under the ADA may also use the Special Fund. Referrals to the Special Fund may be made by workers' compensation attorneys, vocational counselors, physicians, and private vocational service providers.

Steve worked in construction and installed wallboard. After a severe and permanent injury to his shoulders caused by the daily wear and tear of the job, he has too many physical limitations to continue this activity. The attorney handling his workers' compensation case referred him to the Special Fund which purchased equipment that raised the wallboard to the wall and held it in place while he used an automatic nail gun. With the use of the equipment, he can now perform his job within the physical limitations of his injury.

3) *Miscellaneous*. Private insurance, as well as public medical programs, such as the Arizona Health Care Cost Containment System (AHCCCS) and Medicare, may fund some equipment or devices. Various community-based non-profit and charitable organizations may also have monies available.

#### **F. Technical Assistance**

Many sources of technical assistance are available to help employees and employers develop accommodations for people with different disabilities in various job situations. Many of these resources are free. For more information, see the list of Resources for obtaining Information About Reasonable Accommodations in the Workplace for Employees and Applicants with Disabilities and Employers in the Appendix.

### **IV. General Information about this Guide and the Americans with Disabilities Act (ADA)**

#### **A. How the Arizona Center for Disability Law Assists People with Disabilities**

If you believe you have been discriminated against, on the basis of disability, in employment or access to public services, public accommodations, public transportation, or telecommunication services, staff at the Arizona Center for Disability Law can provide you with information about the ADA and enforcing your rights under the ADA. The Arizona Center for Disability Law is a non-profit, public interest law firm providing free advocacy, information and referral services, legal research, community legal education and, in selected cases, legal representation to individuals with disabilities. The Center is the designated protection and advocacy (P&A) system for Arizonans with a wide range of physical and mental disabilities. Assistance is provided for disability-related issues in established priority areas.

Information about the eligibility requirements and priorities are available from the Center upon request. Assistance is provided according to program eligibility requirements, priorities, and staff availability.

#### **B. This Guide is not a Substitute for Legal Advice**

The Arizona Center for Disability Law recommends that persons obtain professional legal advice to resolve a legal dispute regarding discrimination on the basis of a disability. This guide is not a substitute for legal assistance. This guide is meant to provide people with disabilities with information and examples about the employment protections under the ADA.

### **C. What the ADA covers**

On July 26, 1990, the ADA was passed by Congress. The Americans with Disabilities Act (ADA) provides major civil rights protections to individuals with disabilities. The intent of this federal law is to reduce barriers to persons with disabilities and provide equal opportunity in employment, public accommodations, public services, transportation, and telecommunications. The various titles of the ADA affect many aspects of the lives of people with disabilities.

- Title I makes it unlawful to discriminate in employment against qualified people with disabilities.
- Title II makes it unlawful for state and local governments and their agencies to discriminate on the basis of disability in programs and services, including public transportation.
- Title III prohibits discrimination on the basis of disability in access and enjoyment of public accommodation and commercial facilities, such as hotels, motels, restaurants, professional offices, convention centers, stores, banks, museums, parks, schools, and recreation facilities.
- Title IV requires accessibility of telecommunication services to hearing impaired persons and other individuals with disabilities.

### **D. Why the ADA Includes Employment Protections**

Oftentimes, people with disabilities do not have an equal opportunity to work or advance in their employment. People with disabilities are often restricted in employment opportunities by many different kinds of barriers. Some face physical barriers that either make it difficult or impossible to get into and around a workplace or to use equipment in the workplace. Some are excluded because they communicate differently than their co-workers. Still others are excluded because of rigid work schedules which do not permit flexibility for people with special needs because of a disability.

In other cases, people are denied opportunities, not because of actual barriers, but because of prejudice. These are the barriers in other people's minds: fears, stereotypes, presumptions, and misconceptions about job performance, safety, absenteeism, costs, or lack of acceptance by co-workers and customers.

Congress enacted the ADA to eliminate these barriers to equal opportunity in

employment. The ADA makes it unlawful for an employer covered by the law to discriminate against applicants and employees with disabilities. The United States Equal Employment Opportunity Commission (EEOC) is responsible for enforcing this law. People with disabilities also have the right to bring private lawsuits against employers who discriminate against them if the individual files a charge of discrimination within the time limits set out by the ADA. See the Center's guide, *How to Enforce the Employment Protections of the ADA*, for more information about filing a charge. However, the U.S. Supreme Court recently ruled that private individuals may not sue state employers for money damages under the ADA. Individuals may still file charges of discrimination with the EEOC against their state employer for other relief, such as court orders to stop discrimination. The U.S. Government can still file lawsuits against states for violating the ADA.

This guide will provide the reader with information about the requirement of the ADA for employers to provide reasonable accommodations to qualified individuals with disabilities. The list of guides available through the Center about employment rights under the ADA include:

- *The ADA and the Job Applicant: Recruitment, Applications and Interviews*
- *An Overview of the Employment Protections of the ADA*
- *The ADA and Reasonable Accommodations*
- *Drug and Alcohol Testing under the Americans With Disabilities Act (ADA)*
- *How to Enforce Employment Rights Under the ADA*
- *The Americans With Disabilities Act (ADA) and Medical Examinations*
- *The ADA and Confidentiality of Medical Records*
- *The ADA and Disability-Related Harassment*

## **E. When the Employment Protections of the ADA Apply**

The ADA does not cover every employment situation between an applicant or employee and an employer. For the ADA to apply to an employment situation each of the following has to be true:

- the employer is a *covered employer*;
- the employee or applicant has a *disability* according to the ADA;
- the employee or applicant is *qualified* to perform the job; and

- the employer *discriminates* against an applicant or employee *on the basis of disability*.

The terms "covered employer" and "disability" are discussed below.

## **F. Employers Covered By the Employment Protections of the ADA**

- The ADA applies to private employers with 15 or more employees.
  - Includes employment agencies and labor unions.
  - Includes a location or facility of a business with less than 15 employees whose total number of employees for the company in all locations and facilities combined equals 15 or more.

Other local laws may apply to persons with disabilities who are employed by smaller businesses. For more information contact the Arizona Center for Disability Law or a private attorney.

- The ADA applies to state and local governments.
  - Includes all state and local governmental agencies, departments and entities regardless of their size or number of employees. Although the ADA applies to state employers, the U.S. Supreme Court recently ruled that employees (and applicants) cannot sue state employers in court for money damages. Individuals can still file charges of discrimination with the EEOC against their state employer. Individuals can still sue to require state employers to take action or stop discriminatory action. The U.S. Government can still file lawsuits against state employers under the ADA.
  - Examples of state or local employers include: public schools, public universities, police and fire departments, public libraries, public museums, public parks and recreation facilities, and social welfare offices. (The U.S. Supreme Court decision discussed above does not apply to local government agencies, such as cities and counties.)
- The ADA does NOT apply to the federal government.
 

The ADA does apply to employees of the U.S. Senate. However, generally if a person with a disability works or applies for a job with the federal government, a federal agency, or a fully owned U.S. Government corporation, then the ADA

does not apply. However, the Rehabilitation Act of 1973 is another anti-discrimination law that offers employment protections for people with disabilities. For example, employees and applicants of the U.S. Department of Labor and civilian employees of the U.S. Department of Army are covered by the Rehabilitation Act. For more information about the Rehabilitation Act, contact the Arizona Center for Disability Law, an Equal Employment Opportunity Counselor (EEO) for the federal agency, or a private attorney.

- Title I (Employment) of the ADA does NOT apply to Indian Tribes. However, tribes may have their own affirmative action or anti-discrimination laws which may address discrimination on the basis of disability. Some tribes have adopted tribal laws or entered into agreements to abide by federal discrimination laws similar to the ADA. Contact a tribal legal office for more information about the tribal laws or agreements that may apply.

### **G. Applicants or Employees With a Disability**

The ADA protects qualified individuals with a disability. Disability is defined under the ADA as:

- (1) a physical or mental impairment that substantially limits an individual in the ability to perform major life activities, such as:
  - seeing
  - hearing
  - walking
  - working
  - learning
  - thinking
  - reading
  - lifting
  - Concentrating
  - reproduction
  - performing manual tasks
  - interacting with others
  - engaging in sexual relations
- (2) a history of a substantially limiting impairment, or
- (3) being regarded as having a substantially limiting impairment.

However, persons who are currently illegally using drugs are generally not protected under the ADA. A person is qualified under the ADA if s/he has all of the skills, education, and experience required for the position and is able to perform the essential functions of the job with or without reasonable accommodations. For more information about what these special terms mean, see the Center's guide, *An Overview of the Employment Protections of the ADA*.

## Appendix

### **Generic Accommodations**

#### *For persons who are deaf or hard of hearing:*<sup>1</sup>

Communication needs for individuals will vary depending upon many factors, such as whether the individual is deaf or hard of hearing, uses American Sign Language (ASL), whether the individual became deaf after learning language, educational background, speech reading skills, complexity of communication taking place, and location of communication. The following accommodations are only a starting point and which ones are appropriate can only be determined after evaluating the above factors.

#### Inter- and Intra-Office Communication:

- Ensure the availability of Text Telephones (TTs, also commonly referred to as TTYs or TDDs), amplification devices, or other appropriate assistive listening devices (ALDs) to help facilitate communication between other employees or customers
- Use state telecommunication relay services, where an intermediate person receives verbal information and types it to the person using a TTY. The "800" toll free phone numbers for these services are listed in local phone directories
- Consider E-mail for intra and interoffice communications
- Provide visual or tactile pagers for communication, instructions, and as an alerting system
- Share information via networked computers
- Use computer notetaking
- Try fax machines for intra or interoffice, and customer communication

#### Safety:

- Provide visual and auditory alerting devices on telephones and fire alarm systems

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<sup>1</sup>These accommodations are excerpts from publications prepared by the Program on Employment and Disability, New York State School of Industrial and Labor Relations (ILR), Cornell University, 2000-2005.

## Trainings and Meetings:

- Ensure that all rooms used for meetings or training are adequately lighted
- Utilize assistive listening devices such as FM, infrared, loop systems, and/or closed-captioning decoders in meeting and training sessions
- Try real-time captioning for meetings and training sessions (simultaneously captioning as speaker speaks)
- Caption video training materials
- Use qualified and professional interpreters (oral and/or sign) when needed
- Use notetakers in meetings and groups
- Consider "communication cops" at meetings (one person who monitors the meeting to ensure that only one person speaks at a time)
- Multiple strategies include use of professional interpreters (sign or oral), computers, ALDs, and other appropriate strategies

## For persons who are blind or visually impaired:<sup>2</sup>

### During the application and interview process:

- Mail the application to the candidate who requests it
- Offer written materials, including applications, training materials, etc., in an alternative format, such as audio-tape, large print, or Braille
- Offer the walk-in applicant an opportunity to take the application, have someone help complete it, and return it by mail or in person
- Offer the services of someone in the office to assist in completing the form
- If the candidate is taking public transportation, indicate which stop is closest, then give directions from the stop
- Offer assistance from the reception area to your office by asking, "Would you like to take my arm?" If the person needs to, he or she will lightly grasp your arm just above your elbow and will follow one step behind you. Don't insist on helping, and certainly, don't

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<sup>2</sup>See footnote #2

push the person ahead of you. If the person uses a dog guide, the dog will follow you. Do not pet or distract the dog.

- If the individual has asked for assistance to the location, place the person's hand on the back of the chair where s/he will be sitting. Do not push the person into a chair.

*For persons who have cognitive disabilities:*<sup>3</sup>

Recruitment, Job Application and Interview process:

- Simplifying and minimizing wording on the job application
- Clarification and assistance in completing information needed on the job application
- Conducting a verbal interview to obtain job application information that may be more complex in nature and difficult to put in writing
- Describing job requirements clearly, concisely and simply; showing the person the job
- Adjusting length of interview to maximize applicants ability to remain attentive and decrease stress level
- Interviewing in a quiet, informal, distraction-free environment
- Using multiple formats to advertise job postings, such as newspaper and radio advertising.

Job training:

- Spend additional time in training the new employee
- Break job tasks down into smaller steps which are more clearly defined
- Use very clear and basic language to provide job instructions
- Develop a set routine in a job
- Allow the employee to use alarm watches or timers
- Develop pictures or diagrams showing job sequence to assist in learning tasks
- Teach the employee with the disability how to follow the example of co-workers to learn

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<sup>3</sup>See footnote #2.

work routines and appropriate work behaviors

- Encourage co-worker involvement in ongoing support, if needed.

*For people with psychiatric disabilities:*<sup>4</sup>

(This section from "Accommodation Ideas for Persons with Psychiatric Disabilities" was divided into the following categories. Not all people with psychiatric disabilities will have these limitations or need all of these accommodations. People with different disabilities (such as learning disabilities and cognitive disabilities) with any of these limitations may also benefit from the following ideas.)

Work Accommodations:

- Allow flexible scheduling
- Allow longer or more frequent work breaks (but still require an 8-hour work day)
- Provide additional time to learn new responsibilities
- Provide backup coverage for when the employee needs to take breaks
- Allow for time off for counseling
- Allow for use of supportive employment and job coaches (often available through other agencies)
- Allow employee to work from home during part of the day
- Allow part-time work schedules
- Reduce distractions in the work area
- Divide large assignments into small tasks and steps
- Restructure job to include only essential functions
- Provide positive praise and reinforcement
- Develop strategies to deal with problems before they arise

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<sup>4</sup>These accommodations are excerpts from the publication, "Accommodation Ideas for Persons with Psychiatric Disabilities," Job Accommodation Network, A Service of The President's Committee on Employment of People with Disabilities. Call 1-800-DIAL-JAN for a list of publications.

- Allow telephone calls during work hours to doctors and others for needed support
- Recognize that a change in the office environment or of supervisors may be difficult for a person with a psychiatric disability

*For individuals in recovery from a drug or alcohol problem:*<sup>5</sup>

Work Accommodations:

- A modified work schedule to permit an employee to pick up her daily methadone dosage or to attend an out-patient relapse prevention counseling session
- Job restructuring to relieve an employee of particular marginal tasks that may compromise recovery or be inappropriate in the early stages of recovery
- Temporary reassignment of an employee in a safety-related position to a vacant non-safety sensitive position while he or she completes treatment
- Unpaid leave to permit an individual with a current alcohol impairment to attend an in-patient treatment program

*For persons with attention deficit disorder:*<sup>6</sup>

- Reduce distractions in the work space
- Give instructions clearly - both orally and in writing
- Break large tasks down into more manageable parts
- Provide structure in long-term tasks (checklists, deadlines for each stage, periodic meetings with supervisors)
- Frequent and specific feedback on meeting performance expectations
- Provide extra clerical support
- Make accessible audio and video equipment

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<sup>5</sup>See footnote #2.

<sup>6</sup>These accommodations are excerpts from the publication, "Attention Deficit Disorder in the Workplace," National Center for Law and Learning Disabilities.

- Provide accommodations in examinations (extra time, quiet room, alternative format where appropriate) and in training programs (tape recorder, repetition, time for questions, supervised practice)
- Provide modified work schedules and job restructuring

*For persons who have physical disabilities (with limited mobility, use wheelchairs, or mobility aids):*

- Move clutter in hallways to give room for people to use wheelchairs or mobility aids
- Install door knobs with levers rather than round knobs
- Build or use portable ramps to ramp stairs
- Provide reserved parking near the entrance/exit that person uses
- Check lunchroom and make changes to ensure access
- Make sure work area is large enough for wheelchair, including turnaround space
- Plan training events and company social events in an accessible location
- Install grab bar in the restroom and, if necessary, enlarge stalls

Remember, not all people with the same condition will need the same accommodations. These are ideas only. Each situation calls for an individual assessment.

Optional Form for Employee or Applicant to Request Reasonable Accommodations

\*Ask your employer if s/he has a form, if no form is available, use a memorandum or letter format.

TO: Human Resources Director

FROM: (Individual Requesting Accommodation)

RE: Americans with Disabilities Act Accommodation Request

DATE: (Date of Request)

I am employed by the company as a \_\_\_\_\_. I need an accommodation(s) to be able to perform my job duties because of a disability. I have the following condition: \_\_\_\_\_ . This condition affects me in the following way(s):

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Based on my experience with my disability, I believe I need the following accommodation(s):

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I would like to meet with you to discuss an accommodation plan which would include this accommodation(s) or other effective accommodations.

If you need any medical documentation regarding my condition or the need for accommodations, please let me know. Please keep this request and any subsequent medical documentation confidential as required by the Americans With Disabilities Act.

(I have attached some information about accommodations for your review.)

## **Sample Form for Employee or Applicant to Request Reasonable Accommodations**

TO: Iman Charge, HR Director

FROM: Augusta T. Employee

RE: Americans with Disabilities Act Accommodation Request

DATE: May 17, 2006

I was recently hired by the company as a cashier sales associate at Bull's-eye Store in Tucson. I need accommodations to be able to perform my job duties because of a disability. I have a spinal cord injury. As a result, I use a wheelchair. I have full use of my arms, but cannot walk even short distances.

Based on my experience with my disability, I believe I need the following accommodations while working at Bull's-eye Store:

- modifications to my cashier station (i.e., lower the ledge on which the cash register rests and cut a bigger opening to accommodate my chair; if I am assigned to one station, it would eliminate the need to modify other stations); and
- provide a reaching device which costs about \$40.

If you need any medical documentation regarding my condition or the need for accommodations, please let me know. Please keep this request and any subsequent medical documentation confidential as required by the Americans with Disabilities Act.

I have attached some information from the Job Accommodation Network (JAN) about how cashier stations were modified by another chain of stores. You can call JAN for further information. It is a free resource for employers. Their telephone number is (800) 526-7234.

## Optional Form to Use as A Guide When Seeking Documentation of Disability/Accommodation

The documentation should include:

- the nature of the impairment
- how the impairment substantially limits at least one major life activity. Examples of major life activities include, but are not limited to:
  - hearing
  - seeing
  - lifting
  - working (a wide class of jobs, not just a single job)
  - performing manual tasks
  - walking
  - standing
  - learning(do not evaluate "working" unless no other activity is limited)
- a statement that the person needs an accommodation related to his/her disability
- the type of accommodation needed or recommended (optional)

The documentation may be provided by a:

- doctor
- psychologist
- rehabilitation counselor
- occupational therapist
- independent living specialist
- other professional with knowledge of disability and functional limitations
- physical therapist

\_\_\_\_\_ has the following physical/mental impairment: \_\_\_\_\_ . The impairment causes functional limitations in the major life activity(ies) of \_\_\_\_\_. S/he is impaired in the areas in the following ways:

\_\_\_\_\_

\_\_\_\_\_  
S/he is a qualified individual with a disability. As a result s/he needs an accommodation(s) in the workplace because of his/her disability. I recommend the following accommodation(s).  
\_\_\_\_\_  
\_\_\_\_\_

Please keep this medical documentation confidential as required by the employment provisions of the Americans with Disabilities Act.

\_\_\_\_\_  
Signature of Professional and  
Credentials

(Tear this sheet off and provide to the professional providing the documentation regarding disability.)

## **Sample Use of Form for Documentation**

Joseph Jones has a physical impairment consisting of a spinal cord injury. He has paraplegia resulting in paralysis of his legs, but does have full use of his arms and hands. The physical impairment causes significant functional limitations in the major life activity of walking. He is unable to walk and uses a wheelchair. Joseph Jones is an individual with a disability according to the definition of the ADA.

As a result, he will need some accommodations in the workplace because of his disability. Generally, he will need an accessible worksite and ramp into the building where his worksite is located. I am a vocational rehabilitation counselor who has worked with Mr. Jones. I would be able to come to the worksite and offer you some specific recommendations on how to make his worksite accessible. Enclosed are the federal accessibility guidelines for building a ramp and suggestions for desks that will accommodate Mr. Jones' wheelchair. Please keep this request and any subsequent medical documentation confidential as required by the Americans with Disabilities Act.

Call me at my office at 123-4567.

Sincerely,

Rebecca Smith,  
Vocational Counselor

## Financial Assistance to Employer for Accommodations

Several sources of financial assistance are available to help employers make accommodations and comply with ADA requirements.

- a) Tax Credit for Small Business. Under Section 44 of the Internal Revenue Code, a special tax credit is available for smaller employers up to \$5,000 per year for accommodations made in compliance with the ADA. The credit is available for one-half the cost of "eligible access expenditures" that are more than \$250 but less than \$10,250.
- An eligible "small business" includes one in which gross receipts are equal to \$1 million or less for the taxable year, or the business has 30 or fewer full time employees.
  - Eligible "access expenditures" for which the tax credit applies includes accommodations under Title I and accessibility requirements for commercial facilities and places of public accommodation under Title III.
- b) Tax Deduction for Architectural and Transportation Barrier Removal. Under Section 190 of the Internal Revenue Code, any business may take a full tax deduction, up to \$15,000 per year, for expenses of removing architectural barriers or transportation barriers.
- Expenses covered include cost of removing barriers created by steps, narrow doors, inaccessible parking spaces, toilet facilities, and transportation vehicles.
  - Both the "tax credit" and "tax deduction" are available to eligible small businesses.

(Tear this sheet off to give to a perspective employer or current employer when asking for an accommodation.)

**Resources for Obtaining Information about Reasonable Accommodations  
in the Workplace for Employees and Applicants with Disabilities  
and Employers**

Organization and contact information	National, regional, state or local organization	Types of services offered
<p>Job Accommodation Network (JAN) West Virginia University P.O. Box 6080 Morgantown, WV 26506-6080 tel: (800) 526-7234 (V/TTY) website: <a href="http://janweb.icdi.wvu.edu/">http://janweb.icdi.wvu.edu/</a></p>	National	<p>National toll free consulting service for employers and people with disabilities; Searchable Online Accommodation Resource (SOAR); Publications; and Information and Referral.</p>
<p>ADA Disability and Business Technical Assistance Center tel: (800) 949-4232 website: <a href="http://www.adata.org">www.adata.org</a></p>	National	<p>Material Dissemination; Information and referral; and referral to local DBTAC.</p>
<p>Industrial Labor Relations Program on Employment and Disability (ILR) New York State School of Industrial &amp; Labor Relations Extension Division Cornell University Ithaca, NY 14853-3901 tel: (607) 225-7727 (V) (607) 255-2891 (TTY) website: <a href="http://www.ilr.cornell.edu/ped/">www.ilr.cornell.edu/ped/</a></p>	National	<p>Provides dissemination of information including the publications listed in end of the chart.</p>
<p>National Association for Deafness 814 Thayer Avenue Silver Springs, MD 20910-4500 tel: (301) 587-1788 (V) (301) 587-1789 (TTY) website: <a href="http://www.nad.org">www.nad.org</a></p>	National	<p>Provides information about legal rights, including information about possible ADA accommodations in the workplace.</p>
<p>Boston University Center for Psychiatric Rehabilitation 940 Commonwealth Avenue West Boston, MA 02215 tel: (617) 353-3549 website: <a href="http://www.bu.edu/cpr/reasaccom/">www.bu.edu/cpr/reasaccom/</a></p>	National	<p>Provides information including publications about ADA accommodations in the workplace, focusing on accommodations for people with psychiatric disabilities.</p>

<p>Worksupport.com  Virginia Commonwealth University-RRTC  1314 W. Main Street  P.O. Box 842011  Richmond, VA 23284-2011  tel: (804) 828-1851(V)  (804) 828-2494 (TTY)  website: www.worksupport.com/</p>	<p>National</p>	<p>Provides information including publications about ADA accommodations in the workplace and research about employing people with disabilities.</p>
<p>Pacific Disability and Business Technical Assistance Center (PDBTAC)  2168 Shattuck Ave., Suite 301  Berkeley, CA 94704-1307  tel: (800) 949-4232(V/TTY)  website: www.pacdbtac.org</p>	<p>Regional</p>	<p>Technical Assistance; Education and Training to employers in Arizona and other states in Pacific region; Material Dissemination; and Information and referral.</p>
<p>Arizona Technology Access Program (AzTAP)  4105 N. 20th Street #260  Phoenix, AZ 85016  tel: (602) 728-9532 (V)  (602) 728-9536 ( free)  website: http://www.nau.edu/ihd/aztap  TTY)  (800) 477-9921</p>	<p>Statewide</p>	<p>Provides dissemination of information about technology that allows people with disabilities to increase functioning and information and referral about available technology, including vendors of products.</p>
<p>Arizona Center for Disability Law  100 N. Stone Ave., Suite 305  Tucson, AZ 85701  tel: (520) 327-9547 (V/TTY)  (800) 922-1447 (V/TTY)  (520) 327-7754 (TTY)  (866) 327-7754 (TTY)  website: www.azdisabilitylaw.org  e-mail: center@azdisabilitylaw.org</p>	<p>Statewide</p>	<p>Website contains a free guide: The ADA and Reasonable Accommodations which includes a generic list of accommodations for a variety of different types of disabilities available to download and print. ACDL does not consult or provide advice directly to employers, but the website resources are available for free to all.</p>

<p>Arizona Commission for the Deaf and Hard of Hearing  1400 W. Washington, Rm 126  Phoenix, AZ 85007  tel: (602) 542-3323 (V)  (602) 364-0990 (TTY)  (800) 352-8161 (V/TTY)  website: www.acdhh.org</p>	<p>Statewide</p>	<p>Provides information and referral as well as education and training about deafness and hearing impairments, including information about interpreter services in Arizona, vendors of assistive technology products for the deaf and hard of hearing,</p>
<p>Arizona Department of Economic Security  Rehabilitation Administration Services  (see state government listing for the closest local office)</p>	<p>Statewide</p>	<p>Provides vocational rehabilitation including assistive technology and services, job coaching, etc. to people with disabilities who qualify for services. Qualified individuals with disabilities who are working and need accommodations or evaluations for accommodations may receive some of these services through RSA.</p>
<p>Easter Seals Arizona  2075 South Cottonwood Drive  Tempe, AZ 85282  tel: (480) 222-4100  (800) 626-6061 (outside Phoenix)  website: <a href="http://az.easterseals.com">http://az.easterseals.com</a></p>	<p>Statewide</p>	<p>Provides training and assessment and information about assistive technology for people with disabilities, and provides disability awareness training to employers.</p>
<p>Dorothy Kret Associates Inc  2106 North 24th Street Suite A  Phoenix, AZ 85008  tel: (520) 790-7677  website: <a href="http://www.dkajobs.com">www.dkajobs.com</a>  e-mail: <a href="mailto:dkajobs@azstarnet.com">dkajobs@azstarnet.com</a></p>	<p>Statewide</p>	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.</p>
<p>St Gregg and Associates  77 E. Weldon Street Suite 150  Phoenix, AZ 85014  tel: (602) 253-0152</p>	<p>Statewide</p>	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.</p>

<p>United Cerebral Palsy of Central Arizona  321 West Hatcher, Suite 102  Phoenix, AZ 85021  tel: (602) 943-5472  website: <a href="http://www.ucpofaz.com/">http://www.ucpofaz.com/</a></p>	Statewide	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.</p>
<p>WEDCO Employment Center Inc  5151 North 16th Street, Suite 124  Phoenix, AZ 85016-3919  tel: (602) 274-2605</p>	Statewide	<p>Provides job coaching.</p>
<p>The Centers for Habilitation  215 West Lodge Drive  Tempe, AZ 85283  tel: (480) 838-8111</p>	Statewide	<p>Provides job coaching.</p>
<p>Westview Services Inc  4480 W. Peoria Ave. Suite 108  Glendale, AZ 85302  tel: (623) 854-9443</p>	Statewide	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.</p>
<p>Goodwill Industries of Central Arizona Inc  417 N. 16th Street  Phoenix, AZ 85006  tel: (602) 254-2222  website: <a href="http://www.goodwillaz.org">www.goodwillaz.org</a></p>	Statewide	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.</p>
<p>Valley Center of the Deaf  3130 E. Roosevelt  Phoenix, AZ 85008  tel: (602) 267-1921 (V/TTY)  website: <a href="http://www.angelfire.com/az2/valleyctrofdeaf/">www.angelfire.com/az2/valleyctrofdeaf/</a></p>	Local-Phoenix and Northern Arizona	<p>Provides sign language interpreters for a fee to individuals and businesses.</p>
<p>Community Outreach Program for the Deaf (COPD)  268 West Adams  Tucson, AZ 85705  tel: (520) 792-1906 (V/TTY)  (800) 234-0034 (V/TTY)  website: <a href="http://www.angelfire.com/az2/valleyctrofdeaf/copd">www.angelfire.com/az2/valleyctrofdeaf/copd</a></p>	Local-Tucson and Southern Arizona	<p>Provides sign language interpreters for a fee to individuals and businesses.</p>

<p>Arizona Bridge to Independent Living (ABIL)  5025 E. Washington St. Suite 200  Phoenix, AZ 85034  tel: (602) 256-2245 (V/TTY)  (800) 280-2245 (V/TTY)  website: <a href="http://www.abil.org/">www.abil.org/</a>  e-mail: <a href="mailto:azbridge@abil.org">azbridge@abil.org</a></p>	<p>Local- Phoenix and Northern Arizona</p>	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities.</p>
<p>Gompers Center Inc.  6601 North 27th Avenue  Phoenix, AZ 85017  tel: (602) 336-0061  website: <a href="http://www.gomperscenter.org">http://www.gomperscenter.org</a>  e-mail: <a href="mailto:mjacoby@gomperscenter.org">mjacoby@gomperscenter.org</a></p>	<p>Local- Phoenix</p>	<p>Provides job coaching</p>
<p>The Yuma WORC Center Corp  256 South 2nd Ave. Suite A  Yuma, AZ 85364  tel: (928) 782-9544  website: <a href="http://www.worc-pa.com/">http://www.worc-pa.com/</a>  e-mail: <a href="mailto:info@worc-pa.com">info@worc-pa.com</a></p>	<p>Local-Yuma Area</p>	<p>Provides job coaching</p>
<p>Technology Access Center of Tucson (TACT)  P.O. Box 13178  4710 E. 29th Street  Tucson, AZ 85732-3178  tel: (520) 745-5588 ext. 412  website: <a href="http://www.ed.arizona.edu/tact/index.htm">www.ed.arizona.edu/tact/index.htm</a>  e-mail: <a href="mailto:tactaz@aol.com">tactaz@aol.com</a></p>	<p>Local- Tucson and Southern Arizona</p>	<p>Provides information and expertise about appropriate assistive technology to improve functioning of people with disabilities, including assistive technology in the workplace.</p>
<p>Direct Center for Independence  1023 N. Tyndall  Tucson, AZ 85719  tel: (520) 624-6452 (V/TTY)  (800) 342-1853 (V/TTY)  website: <a href="http://www.directilc.org">www.directilc.org</a></p>	<p>Local- Tucson and Southern Arizona</p>	<p>Provides workplace assessments for employers to determine possible appropriate accommodations and does reviews of policies and procedures for ADA compliance.</p>
<p>Tetra Corporation  P.O. Box 50544  Tucson, AZ 85703  tel: (520) 622-4874  website: <a href="http://www.tetracorp.com/">http://www.tetracorp.com/</a></p>	<p>Local- Tucson and Southern Arizona</p>	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.</p>

Community Psychology and Education Services 4825 N. Sabino Canyon Road Tucson, AZ 85750 tel: (520) 884-7954 website: <a href="http://www.cpes.com">www.cpes.com</a>	Local-Tucson and Southern Arizona	Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.
Earnpower Labor Market Services 639 E. Speedway, Suite A Tucson, AZ 85705 tel: (520) 624-1240	Local-Tucson and Southern Arizona	Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.
Our Place Clubhouse 66 E. Pennington Tucson, AZ 85701 tel: (520) 884-5553	Local-Tucson and Southern Arizona	Consults with businesses about provision of reasonable accommodations for people with psychiatric disabilities and provides job coaching.
David J. Boyle 2030 E. Broadway, #112 Tucson, AZ 85719 tel: (520) 792-6343	Local-Tucson and Southern Arizona	Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.
The Blake Foundation/SAGE 332 E. Convent Tucson, AZ 85701 tel: (520) 622-3933 website: <a href="http://www.blakefoundation.org/">http://www.blakefoundation.org/</a>	Local-Tucson	Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.
Southern Arizona Association for the Visually Impaired 3767 E. Grant Rd. Tucson, AZ 85716 tel: (520) 795-1331 website: <a href="http://www.saavi.us">www.saavi.us</a>	Local-Tucson	Provides job coaching.
Labor Marketing Consulting Services Inc. 1661 N. Swan Road, Suite 140 Tucson, AZ 85712 tel: (520) 881-6160 website: <a href="http://www.fcb.org/projecti.htm">http://www.fcb.org/projecti.htm</a>	Local-Tucson	Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.

Desert Survivors 1020 W. Starr Pass Tucson, AZ 85713 tel: (520) 884-8806 website: <a href="http://www.desert-survivors.org/">http://www.desert-survivors.org/</a> e-mail: <a href="mailto:bighorn@desert-survivors.org">bighorn@desert-survivors.org</a>	Local- Tucson	Provides job coaching.
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\*Publications available through ILR (listed on page 2):

- Accommodating the Allergic Employee in the Workplace
- Assistive Technology, Accommodations and the ADA
- Employing and Accommodating Individuals with Histories of Alcohol and Drug Abuse
- Employing and Accommodating with Spinal Cord Injuries
- Employing and Accommodating Individuals with Psychiatric Disabilities
- Working Effectively with People Who Have Diabetes
- Working Effectively with People Who Have Sustained a Brain Injury
- Working Effectively with People Who Are HIV Positive
- Working Effectively with People Who Are Deaf or Hard of Hearing
- Working Effectively with People Who Have a Learning Disability or Attention Deficit Disorder with Hyperactivity
- Working Effectively with People Who Have Cognitive Disabilities
- Workplace Accommodations for People with Multiple Sclerosis
- Workplace Accommodations for People with Musculo-skeletal Disabilities
- Workplace Accommodations for People living with Cancer

Additional websites with information:

U.S. Equal Employment Opportunity Commission - [www.eeoc.gov](http://www.eeoc.gov)

U.S. Department of Justice ADA Home Page -  
[www.usdoj.gov/crt/ada/adahom1.htm](http://www.usdoj.gov/crt/ada/adahom1.htm).

Architectural and Transportation Barriers and Communication Board -  
[www.access-board.gov/](http://www.access-board.gov/)