



Making Your Job Work for You

How to Ask Your Employer for An Accommodation That You Need

Self-Help Guide

www.azdisabilitylaw.org
center@azdisabilitylaw.org

E-4PL

This guide will answer these questions:

- 1 What is a reasonable accommodation?
- 2 How do I ask an employer for an accommodation that I need?
- 3 What does an employer look at when deciding whether to make a reasonable accommodation?
- 4 What can I do if an employer says “NO” when I ask for an accommodation?



1 What is a reasonable accommodation?

As a person with a disability, you may need an employer to make certain changes to a work place or situation in order to ensure that you have an equal chance of getting a job and keeping a job. Asking an employer to make a change when you are applying for a job or while working at a job, so you can do your job and enjoy the same benefits and conditions of employment as others, is often called asking for a reasonable accommodation.

Here are some examples of reasonable accommodations people with disabilities can ask for:



Issue: Sylvia is a cook's assistant. She is a person with mental retardation. Sylvia does a great job helping to prepare menu items she knows, but she has trouble when she has to learn how to prepare new ones.

Possible Accommodation: The restaurant could give Sylvia a job coach to help her learn how to prepare new items on the menu.

Issue: Sheryl applies to be an office manager for a large company. Sheryl uses a wheelchair and the building where the company is holding the interview has steps leading into it and does not have a ramp.

Possible Accommodation: The company could agree to move the interview to a building that has a ramp so that Sheryl can interview for the job.



Issue: John is a maintenance worker at a school. John has a severe learning disability and has trouble following the principal's written daily list of duties.

Possible Accommodation: The principal could give John a small pocket tape recorder and then record each day's list of duties on tape for John.

Issue: Tim is hired as a secretary. He has epilepsy and is not able to drive because he could have a seizure while driving. Sometimes, his boss needs him to drive somewhere to deliver a report.

Possible Accommodation: A co-worker could be asked to deliver the report while Tim covers the duties of that co-worker.



Issue: Sam has a mental illness. He works as a stock person in a grocery store. Sam needs to leave work to go to a group counseling session on Wednesday afternoons.

Possible Accommodation: Sam could ask for a modified work schedule where he leaves ½ hour early but comes in ½ hour early on Wednesdays.

Issue: Derek is a produce worker in a grocery store. He is deaf and uses American Sign Language. He has to be in contact with his supervisor throughout the day.

Possible Accommodation: His employer could provide him and his supervisor with a vibrating cell phone with text messaging.

Issue: Megan is a lawyer and was just hired at a law firm. She is blind and uses a service animal. The law firm is having its annual employee awards dinner at a hotel that has a no animal policy, including service animals.

Possible Accommodation: The employer could tell the hotel that they will not have their dinner there unless they allow Megan's service animal or they could move the dinner to another hotel.



Issue: Sandra wants to apply for a job at a local grocery store. The store has a computer kiosk that people can use to fill out a job application. Sandra is a person with mental retardation. She cannot read the instructions on the computer screen.

Possible Accommodation: The store could give Sandra a paper application or they could offer to have someone read the questions off of the computer and then key in answers for her.



Issue: Dennis is a receptionist with a hearing impairment. He uses a hearing aid but also needs a telephone amplification device for the telephone to hear callers.

Possible Accommodation: His employer could purchase the telephone amplification device as an accommodation.

Issue: Alberta is visually impaired. Her employer holds a safety training and gives the employees a written hand-out at the training.

Possible Accommodation: Alberta's employer could provide a large print version for Alberta.

These are just some examples of possible accommodations. If you need a different accommodation than any of the ones above, you may still ask your employer. If you do not know what type of accommodation you need to be able to do the job, there are lots of people who can help you think of accommodations. See the list of resources for accommodations that is at the end of this guide.

2 How do I ask an employer for an accommodation I need?



1) You can always just tell your employer you need an accommodation, but it is better to put it in writing. Write a letter to your employer asking for the accommodation you need. Use the sample letter at the end of this guide to help you write the letter. If you need help, call the Arizona Center for Disability Law at 602-274-6287 (voice, Phoenix) or 1-800-927- 2260 (voice, statewide). Put a date on the letter. Keep a copy for yourself.



2) If you know exactly what accommodation you need, then ask for it. If there is more than one type of change that the employer could make to help you, let the employer know about all of the different ways to help you.

3) If you do not know exactly what you need, ask for help. A list of places that may be able to help you decide what kind of an accommodation you need appears at the end of this guide.

4) If you have a written job description, look at your job description and review the requirements or essential functions of the job to make sure that you can carry out all of the tasks of the job with accommodations.

5) Talk to your employer about the accommodation you need. Discuss your limitations and let your employer know how the change or accommodation you are requesting will help you do your job.

Note: An employer is allowed to ask you to provide a written statement from someone such as your doctor, psychologist, rehabilitation counselor or physical therapist, stating why you need the accommodation you have requested. However, if you are asked to sign a release of medical records, you should get some advice from the Arizona Center for Disability Law or a private attorney, if possible, before signing it. **An employer is only allowed to get the medical information that is needed to confirm that you have a disability and need the accommodation because of your disability.**

3 What does an employer look at when deciding whether



to make a reasonable accommodation?

When deciding whether or not to provide you with an accommodation, an employer will typically look at:

- Your abilities and limitations due to your disability
- The requirements or essential functions of the job

Remember:

- An employer is not required to lower quality or production standards to accommodate you.
- An employer is not required to provide an accommodation if it will cause “undue hardship” to the operation of the business. “Undue hardship” means that the accommodation would be very costly to the employer or would result in changes that would change how the business operates.
- An employer is not required to provide an accommodation for a reason that has nothing to do with your disability.
- An employer does not have to offer you the accommodation you prefer but must offer you an effective accommodation. An effective accommodation is one that allows you to do the job or have an equal opportunity to apply for work or enjoy the benefits of work.

4 What can I do if an employer says “NO” when I ask for an accommodation?



There are a couple of things you can do if your employer refuses to provide you with a reasonable accommodation you need to do your job.

- **Call the Arizona Center for Disability Law for help in understanding your choices.**

You may also ask for help from an advocate, such as a job coach, job developer, vocational rehabilitation counselor, case manager or school transition counselor.

Visit our website at : www.azdisabilitylaw.org. Our self-help guides located there may help you.

Take legal action by filing a charge of discrimination. If you believe that your employer has discriminated against you or treated you unfairly on the basis of



your disability by refusing to provide you with the reasonable accommodation, you have the right to file a charge of discrimination with the Equal Employment Opportunity Commission (the “EEOC”.) or the Arizona Attorney General’s Office, Civil Rights Division.

For more information on how to file a charge, take a look at our guide titled, “Taking Action: How to File A Charge When You’ve Been Treated Unfairly Because You Have A Disability.” It is important to file a charge within 300 days of the date of the discrimination in order to later be able to file a lawsuit under the Americans with Disabilities Act.

If you have specific questions about whether to file a charge or how to file a charge, you can call the Arizona Center for Disability Law.

After filing a charge, ask for mediation. Mediation is a process where a third person tries to help the employer and employee or job applicant reach an agreement over a problem such as whether to provide an accommodation. Mediation is free to people who have filed a charge of discrimination.

- **Look for other funding.** You can also try to find other sources to pay for that part of the accommodation that is too expensive for the employer to pay for alone, such as:



The Arizona Department of Economic Security - Rehabilitation Services Administration:

This agency provides vocational rehabilitation (VR) services to people with disabilities and may help you figure out what type of accommodation you need. It may even buy a specific device for you that your employer does not have to provide.

Example: An employer might provide an extended training period for a person with mental retardation such as Sylvia, the cook’s assistant in a previous example. VR might supplement that training with providing Sylvia with a job coach who will work with her until she learns how to prepare new meals at the restaurant.

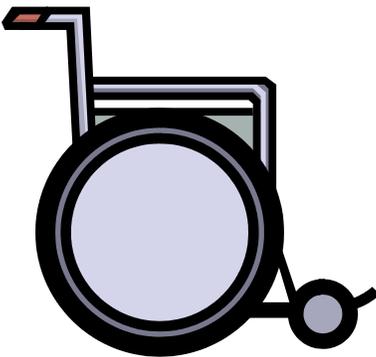


Industrial Commission Special Fund: This fund can help you if you have a disability due to a work-related injury and cannot return to work without an accommodation. The

Special Fund may help pay for retraining or devices that you need.

Example: A person with a permanent disability due to a work-related injury might get a reassignment to a less demanding job. The Special Fund may pay for a piece of equipment to return to work.

Private insurance and public insurance programs such as the Arizona Health Care Cost Containment System (AHCCCS) and Medicare may also help pay for some devices.



Example: A person with multiple sclerosis who needs a wheelchair at work may get the wheelchair from her insurance plan, while the employer modifies her work space so she can do her work from her wheelchair.

If you have questions about this guide or other questions about your legal rights as a person with a disability, please write or call the Arizona Center for Disability Law at:

5025 East Washington Street
Suite 202
Phoenix, AZ 85034-7439
602-274-6287
800-927-2260 (toll free)
602-274-6779 (fax)

[center@ azdisabilitylaw.org](mailto:center@azdisabilitylaw.org)

To get a list of our trainings or look at other Center self-advocacy guides, visit our website at www.azdisabilitylaw.org

Funding for this document is provided by the United States Department of Health and Human Services - Administration on Developmental Disabilities and Center for Mental Health Services, United States Department of Education - Rehabilitation Services Administration.

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.

Revised June 2007

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) (877) 781-9403 (TTY) website: http://www.janweb.icdi.wvu.edu/ e-mail: jan@jan.wvu.edu</p>	National	National toll free consulting service for employers and people with disabilities; Searchable Online Accommodation Resource (SOAR); Publications; and Information and referral.
<p>ADA Disability and Business Technical Assistance Center 6568 Old Dominion Drive McLean, VA 22101 tel: (800) 949-4232 website: www.dbtac.vcu.edu/</p>	National	Material Dissemination; Information and referral; and referral to local DBTAC.
<p>Industrial Labor Relations Program on Employment and Disability (ILR) New York State School of Industrial & Labor Relations Extension Division Cornell University Ithaca, NY 14853-3901 tel: (607) 255-7727 (V) (607) 255-2891 (TTY) website: www.ilr.cornell.edu/ped/ e-mail: ilr_edi@cornell.edu</p>	National	Provides dissemination of information including the publications listed in end of the chart.
<p>National Association for Deafness 8630 Fenton St., Ste 820 Silver Springs, MD 20910-3819 tel: (301) 587-1788 (V) (301) 587-1789 (TTY) website: www.nad.org e-mail: NADinfo@nad.org</p>	National	Provides information about legal rights, including information about possible ADA accommodations in the workplace.

<p>Boston University Center for Psychiatric Rehabilitation 940 Commonwealth Avenue West Boston, MA 02215 tel: (617) 353-3549 website: www.bu.edu/cpr/reasaccom/ e-mail: psyrehab@bu.edu</p>	<p>National</p>	<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/ e-mail: jhgreen@atlas.vcu.edu</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) 555 12th St., Ste 1030 Oakland, CA 94607 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) 2400 N. Central Ave., Ste 300 Phoenix, AZ 85004 tel: (602) 728-9534 (V) (602) 728-9536 (TTY) website: http://www.nau.edu/ihd/aztap (800) 477-9921 (Toll Free)</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 5025 East Washington Street, Ste. 202 Phoenix, Arizona 85034-7439 (602) 274-6287 (Voice) (800) 927-2260 (In-State Toll Free) 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 (in State toll free) website: www.acdhh.org/acdhh.asp e-mail: info@acdhh.az.gov</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, accommodations.</p>
<p>Arizona Department of Economic Security Rehabilitation Administration Services (see state government listing for the closest local office) www.de.state.az.us/rsa</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 903 Second St. Phoenix, AZ 85004 tel: (602) 252-6061 (Phoenix) (800) 626-6061 (outside Phoenix) website: http://www.azseals.org</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: (602) 277-5787 website: www.arpct.org/members e-mail: dkajobs@aol.com</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 1091 So. Cimarron Rd A-2 Las Vegas, Nevada 89145 tel: (702) 735-0711 website: www.stgregg.com</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 1802 W. Parkside Lane Phoenix, AZ 85027 tel: (602) 943-5472 website: http://www.ucpofaz.com/ e-mail: info@ucpofaz.org</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 Website: www.wedco.net e-mail ellen@wedco.net</p>	Statewide	<p>Provides job coaching.</p>
<p>The Centers for Habilitation 215 West Lodge Drive Tempe, AZ 85283-3652 Tel: (480) 838-8111 Website: http://www.tch-az.com/ e-mail: info@tch-az.com</p>	Statewide	<p>Provides job coaching.</p>
<p>Westview Services Inc 10845 N. 99th Ave., Ste 2 Peoria, Arizona 85345 (623) 977-8685</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) 322-7059 website: www.goodwillaz.org e-mail: dcrews@goodwillaz.org</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: www.vcdaz.org e-mail: administration@vcdaz.org</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 (in State Toll Free) website: www.copdaz.org</p>	<p>Local-Tucson and Southern Arizona</p>	<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: www.abil.org/ e-mail: azbridge@abil.org</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 85017-1219 tel: (602) 336-0061 website: http://www.gomperscenter.org e-mail: marjorie@gomperscenter.org</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) 783-0295 website: http://www.worccenter.org/ e-mail: info@worc-pa.com</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. 1265 website: www.ed.arizona.edu/tact/index.htm e-mail: tact1@qwestoffice.net</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: www.directilc.org e-mail: direct@directilc.org</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 308 West Glenn St. P.O. Box 50544 Tucson, AZ 85703 tel: (520) 622-4874 website: http://www.tetracorp.com/</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>
<p>Community Provider of Enrichment Services 4825 N. Sabino Canyon Road Tucson, AZ 85750 tel: (520) 884-7954 website: www.cpes.com e-mail: mail@cpes.com</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>
<p>Earnpower Labor Market Services 639 E. Speedway, Suite A Tucson, AZ 85705 tel: (520) 624-1240</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>
<p>Our Place Clubhouse 66 E. Pennington Tucson, AZ 85701 tel: (520) 884-5553</p>	<p>Local- Tucson and Southern Arizona</p>	<p>Consults with businesses about provision of reasonable accommodations for people with psychiatric disabilities and provides job coaching.</p>
<p>David J. Boyle 2030 E. Broadway, #112 Tucson, AZ 85719 tel: (520) 792-6343</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>
<p>The Blake Foundation/SAGE 332 E. Convent Tucson, AZ 85701 tel: (520) 622-3933 website: http://www.blakefoundation.org/ e-mail: rjilg@theriver.com</p>	<p>Local- Tucson</p>	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.</p>
<p>Southern Arizona Association for the Visually Impaired 3767 E. Grant Rd. Tucson, AZ 85716 tel: (520) 795-1331, ext. 324 website: www.saavi.us e-mail: reception@saavi.us</p>	<p>Local- Tucson</p>	<p>Provides job coaching.</p>

<p>Labor Marketing Consulting Services Inc. 1661 N. Swan Road, Suite 140 Tucson, AZ 85712 tel: (520) 881-6160 website: http://www.labormarketconsulting.com e-mail: stacischonbrun@aol.com</p>	<p>Local-Tucson</p>	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching.</p>
<p>Tucson Indian Center 97 E. Congress St. Tucson, AZ 85702 Tel: (520) 884-7131</p>	<p>Local-Tucson</p>	<p>Consults with businesses about provision of reasonable accommodations for people with disabilities and provides job coaching. May be required to be a tribal member.</p>
<p>Desert Survivors 1020 W. Starr Pass Tucson, AZ 85713 tel: (520) 884-8806 website: http://www.desert-survivors.org/ e-mail: bighorn@desert-survivors.org</p>	<p>Local-Tucson</p>	<p>Provides job coaching.</p>
<p>Freedom Scientific www.freedomscientific.com</p>	<p>National</p>	<p>Designs accessible informational kiosks.</p>
<p>First Wave, Inc. www.first-wave.com</p>	<p>National</p>	<p>Designs accessible informational kiosks.</p>

Optional Form for Employee or Applicant to Request Reasonable
Accommodation

*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):

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

I would like to meet with you to discuss an accommodation plan ~~that 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 ~~w~~With Disabilities Act.

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