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Reasonable Accommodations from the Employee Perspective

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Reasonable Accommodations from the Employee Perspective

Pennsylvania Library Association
2022 Conference

This session is by and for library workers with disabilities, who are usually high risk for COVID complications. To encourage an inclusive space for this session, please consider wearing a face mask.



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Welcome!

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Goals for today

1. Understand who qualifies for reasonable accommodations under the ADA & how to navigate the process
2. Know where to go for resources to support accommodations requests
3. Provide advice for supervisors assisting library workers through the process

Understanding Accommodations



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The ADA defines a person with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activity. This includes people who have a record of such an impairment, even if they do not currently have a disability.

(ADA National Network)

Disability by the numbers

- 26% of American adults live with disability prior to COVID
- 19.1% of disabled Americans employed, but only 2.91% of ALA members
- 1 in 5 adults will experience long COVID
 - 1.2 million more disabled people by end of 2021
 - 16 million adults with long COVID, up to 4 million out of work

(CDC, 2020; BLS, 2022; ALA, 2017; CDC, 2022; Center for American Progress, 2022; Brookings Institute, 2022; Al-Aly et al., 2022)

ADA in the workplace

- For employees with disabilities that can complete essential job duties with or without reasonable accommodation
- Protects disabled workers from discrimination in all aspects of employment
- Requires accommodations to adapt job duties or work environment
- Ensures confidentiality from employers

[\(US EEOC, n.d.\)](#)

“

A reasonable accommodation is a modification or adjustment to a job, the work environment, or the way things are usually done during the hiring process.

(Office of Disability Employment Policy, n.d)

Accommodations during hiring

- Cannot refuse to employ you because you request accommodations
- Make an oral or written request for an accommodation to potential employer
- They can ask for documentation, but it is not necessary
- Examples:
 - Interview materials in large print
 - Captions for a Zoom interview
 - Interview in accessible environment

Accommodations step-by-step

1. Employee or supervisor recognizes the need to adjust work environment or job duties
2. Employee obtains a letter from a doctor and takes it to their supervisor or HR
3. Employee engages in “interactive process” if needed
4. Accommodations are granted and supervisor is notified
5. Accommodations are “monitored”

(US EEOC, n.d.b)

Barriers to accommodations

- Employees must know to ask for them and how to navigate the process
- HR wants what is easiest for institution, not best for employee
- Requires disclosure of disability to some degree
- Potential social and professional repercussions from colleagues and supervisors
 - See [Pionke, 2019](#)

Are accommodations right for me?

- You have a diagnosed medical condition or impairment, and your doctor recommends adjustments
- You have a diagnosed or undiagnosed medical condition or impairment, and you noticed it's impacting your work

Workplace structure considerations

- Does your library employ at least 15 people?
- Do you have a formal HR department/employee?
- Would informal accommodations be more appropriate?
- Can you self-accommodate?

Workplace culture considerations

- How supportive is your supervisor?
- What is the environment like between colleagues?
- Is your disability culturally stigmatized? Are you comfortable with colleagues knowing about it?
- Do other aspects of your identity make work potentially unsafe?

Steps to prepare

1. Identify specific limitations at work
2. Discuss with solutions with a health professional, ask them for an accommodations letter
3. Look for supportive documents online
4. Submit your letter and request a meeting
5. Include a union representative if you have one

FMLA

- Intermittent FMLA for episodic disabilities that cause incapacitation or treatment from health care provider
 - Irregularly occurring, multi-day migraines
- Reduced FMLA for fewer work hours/days per week
 - Slow return after medical event

(US Dept of Labor, n.d.)

**Resources to
support you**



Job Accommodation Network

- askjan.org
- Resource for employees and employers to assist with the accommodation process
- Use it to find supportive documentation prior to request by disability, limitation, or work function
- Live chat or call with questions

Disability Rights Pennsylvania

- DisabilityRightsPA.org
- ADA-mandated state org for people with disabilities
- Assist with problems or questions related to disability
- Pursues litigation to protect civil rights
- Call or submit online intake form, online self-advocacy tools

Mid-Atlantic ADA Center

- ADAinfo.org
- Regional organization for ADA information, training, and resources
- Info for individuals, employers, hospitality, and more
- Recorded online trainings

General tips

- Have written documentation for everything you can
- Understand the process can take weeks or months
- Come as prepared as possible for interactive process
 - Exactly how your job is impacted & why the specific accommodation will improve that
 - Documentation indicating what you're requesting is reasonable

Recommendations for supervisors



For accommodations

- Ensure you know how the process works at your library
- If there is no formal structure, write a policy outlining one
 - Recommended even if you have <15 employees
- Provide training on the process to employees
- Incorporate inclusive workplace practices to prevent the need for accommodations

For disability inclusion

- Expand your personal understanding of disability and accessibility beyond ADA compliance
- Regularly hold training on disability inclusion and legal rights for library employees
- Incorporate disability throughout DEI planning
- Ensure accessibility policies for patrons and staff are clearly shared



**Nothing About
Us Without Us**

Questions?

Thank you!

Presentation resources:

Conference handout page

Google Drive folder

Contact me:

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