



ADA Live! Episode 109: Workplace Accommodations and the ADA

Broadcast Date: September 7, 2022

Guests: Sheryl Ellis, ADA and HR Facilitator, Author of “Making It Work: Managing Your Health Condition Through ADA Workplace Accommodations”

Host: Beth Miller Harrison, Director of Knowledge Translation – Southeast ADA Center

Recording: adalive.org/episodes/episode-109/

Sheryl Ellis:

Hi. I'm Sheryl Ellis and you're listening to ADA LIVE!

4 Wheel City: Yo. Hi, let's roll (singing)

Beth Miller Harrison:

Hi everyone, and on behalf of the Southeast ADA Center, the Burton Blatt Institute at Syracuse University, and the ADA National Network, welcome to ADA LIVE! I am Beth Harrison, the Director of Knowledge Translation at the Southeast ADA Center. Listening audience: If you have questions about the Americans with Disabilities Act, you can use the online form anytime at adalive.org.

Under Title I of the Americans with Disabilities Act, 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. Job accommodations are changes to the ways work place

tasks are typically done that help people with disabilities be successful and have the same opportunities as people without disabilities. The ADA requires reasonable accommodations as they relate to three aspects of employment: 1) ensuring equal opportunity in the application process; 2) enabling a qualified individual with a disability to perform the essential functions of a job; and 3) making it possible for an employee with a disability to enjoy equal benefits and privileges of employment.

For this episode, our guest Sheryl Ellis, will discuss Title 1 from both the employee and employer perspective. Sheryl studied Dispute Resolution & Conflict Management at Southern Methodist University in Dallas, Texas, and has worked in human resources for over 20 years. Sheryl specializes in ADA compliance and workplace accommodations, assisting employees and employers in achieving the best possible outcomes for both parties. In addition, Sheryl has recently written a book; Making It Work: Managing Your Health Condition Through ADA Workplace Accommodations.

Sheryl, welcome to the show.

Sheryl Ellis:

Well, thank you so much for having me.

Beth Miller Harrison:

Well, we are really happy that you could be here to discuss these important aspects of the ADA. And maybe a good place to start would be to just tell us about your work and how you got involved in ADA compliance and in human resources.

Sheryl Ellis:

Sure. I'll start out with what I do. I do a variety of things for employers and employees. I help employers more effectively engage with people with disabilities. I find that a lot don't really understand what their rights and responsibilities are, or the person with the disability request an accommodation, what their rights and responsibilities are, the interactive process, or how to research reasonable accommodations, what's not an accommodation. And so I really help with them working with the employee.

I also conduct what is called an ADA audit for employers to be in compliant, but also for companies who really want to go into being a disability inclusion company that really promotes that. I also develop and implement that part of the DI plan. I'm sure a lot of you have heard the DEIA plan. So it's the accessibility part that I'm talking about what I help employers with. I do some basic things like reviewing and creating and implementing policies and procedures that are related to the ADA. And making sure that also the employer is complying with the ADA.

I also set what I call the interactive accommodation process plan. I call it that because the interactive process is such a critical part of the whole process. I call it the IAP plan. I really encourage people, especially employers, to have a basic plan that they use with all their employees when a request for an accommodation is requested, or an applicant.

Also, what comes up a lot is the interplay between the ADA and other federal state and local laws. This can be very confusing for employers. So I try to really talk to them about what to look for. And that is part of the IAP plan too, is to ensure that you are complying with other leave laws and other federal laws that come into play. Also, looking at job descriptions. I'm interviewing.

One of the things I do also is the mediation, because what happens a lot is there is a lot of misunderstandings and conflict that erupts because of fear and misunderstanding and not knowing the laws. So I get in there to help try to mitigate those situations and come to an agreeable answer or accommodation so that they don't have to file a complaint.

I also teach other individuals with disabilities, whether it's someone who is looking for jobs that are afraid to apply for a job. Occasional rehabilitation specialist. They get situations where they finally get someone a position at a company, but then the company doesn't know how to accommodate them. Attorneys and advocates, and medical professionals. I've worked with attorneys. Taught at the Mitchell Hamline School of Law, and worked with the American Bar Association. So I've taught a little bit with those.

How I got into this; I am a person with a disability. I have fibromyalgia. I have post-Lyme disease, migraines and depression. I had been hiding it just like everybody else for many,

many years, even though I was in HR. I worked for what's called a professional employer organization. It's where you do HR for a lot of different companies. At the time, I had 50 clients.

So I'm in California, that's where I was at at the time, driving to San Jose, and I got rear-ended. Well, that did it for me. That exacerbated my health condition that I had been hiding for years. And I couldn't hide it anymore. Here I was- an employee needing to request an accommodation. So because I always had jobs that I tried to hide it and stuff, and I was able to do it until then. This is when I uncovered that I had post-Lyme disease. I was lucky to have a really good employer who actually worked with me very well and really supported me.

But what we all found, because I had a lot of HR colleagues that I worked with, we all realized that as HR people, we weren't doing a really good job of ADA and support for our clients. This was in 2004. So you could imagine. 2009 hasn't even come yet when we got the ADA amendment. I can kind of foresee when things started evolving, how the need for this to be part of every company, to be able to understand this because we are all humans and it's going to happen at one time or another, whether it's that we age or that we were born with it, like my aunt, or I acquired it at a young age. This really put me on my journey and specialize in the ADA as a professional mediator and writing the book, Making It Work.

So that's how I got into it. That's what I do

Beth Miller Harrison:

Well, that is really interesting. There was a lot in what you've said, and I think that the whole mediation piece is so important. So it's very interesting your work in that area.

Looking at your work, and you've worked with so many different organizations and in so many different career areas, what are some of the most common challenges that you see that people with disabilities face in the workplace?

Sheryl Ellis:

Oh, there's a lot. I would say the biggest is fear. I think it's important that employers understand it just as much as other individuals with disabilities is the fear of getting fired. It has happened where people get fired when requesting an accommodation. It really upsets me to see that's still happening when there's some simple things that can be in play to prevent that from happening. Misinformation, fear of employer's reaction, and then they've had past experiences. So they're going to these new positions, applying for these new positions, with a lot of fear and trepidation, which is really understandable. I mean, I was in HR. I was scared to death, and here I knew the law.

Not understanding your rights and responsibilities under the ADA. It's one of these laws that's very unique in HR where the employee needs to understand just as much as the employer about the rights and responsibilities, because this is a two-party situation where both need to come together and work through this. They really do need to understand it. And I think it's still hard because it's still scary to even learn it. Can I understand it? You can. That's my goal is to make this as simple as possible. Of course, you're going to have those gray areas and those difficult situations, but the more everybody comes with knowledge, and I always say, knowledge is power, it makes it a little bit easier for everyone.

And then they're facing an employer that don't even have an interactive accommodation process plan, or even know how to deal with an accommodation, how to deal with the request.

And then we have individuals that don't know when and how to request an accommodation. They think they need to do it at the beginning when they get hired. I teach a lot about different times when you can do this.

Probably the thing I see the biggest problem with is managers not knowing how to handle requests. I actually was in a webinar with one of my favorite attorneys and he was literally begging HR people to please train their managers. He said, "They're killing you." Managers are really my favorite people because they're the ones that are responsible for handling the most really, but they're trained the least. They need that support. They need to know what to do when a request is happening. They need to have that support. And I

think what happens is because everybody's so fearful, everybody just kind of does their own thing and hopefully the manager will do the right things. I think employers are paying attention to that now. A lot of the issues, my lawyer colleagues are saying, is coming from also just like I'm seeing.

And then not being treated seriously when you ask for the accommodation. And not knowing that reasonable accommodation, you don't have to use that word in order to get an accommodation, even though I really encourage everybody to use some of this verbiage, because it just makes it easier for everybody.

And then they don't even know what type of accommodations they need. This happens more with people who haven't had a disability. It's new to them. They've had some kind of medical condition that's affecting them at work. And all of a sudden, this is new to them. So they don't know what to do. And they don't know where to go to research it or who to go to to find that out. Sometimes it's actually your medical provider, physical therapist, occupational therapist, not just your primary care that can help you with ideas with accommodation.

I would say people who have had a disability for a long time are actually more equipped to know what type of accommodations they need in general. Not saying... if they get to a new job, and they may not know.

And then there's some people I know that have disabilities; the employer doesn't know and they don't need an accommodation. So it doesn't mean that every person that has some sort of medical condition or disability needs an accommodation. It's going to really depend on their job and the company.

One thing I see happen too is they're given the wrong accommodation or the accommodation's not working for them and then they're afraid to ask for another. One thing to know about this is that sometimes it takes several before you know what's going to work for you.

And then there's the confidentiality concerns. This is where employers can be good at really telling them who will know about their accommodation requests. And it's only people who need to know.

And then you have the basic ones for people who have been out of work for a long time, like transportation access to work. This is the beauty of remote work, when employers are able to really put together a really good program and know which jobs can be remotely done. This is a beautiful area that's come up and I absolutely love it myself is the remote work and being able to assist clients.

And then there's the lack of training and education. I think the key here is knowledge is power. It's real important to try to know what you can. And of course your employer should know. We're all still in a learning curve. So the more that you can provide the information, we'll talk later about what that is, the easier it is for the employer also. So it makes it easier for everybody, if that's possible for you to do.

Beth Miller Harrison:

Yeah. So it really is a two-way street; employer and employee need to know their rights and how to accommodate them.

Why is it important now, maybe more than ever, for employers to recruit workers with disabilities?

Sheryl Ellis:

Well, probably like everybody's seen is it's a tight labor force. I don't think it's temporary. I have heard from many reports that it's not temporary and it's not going away soon. And then you have the pandemic that has made a lot of shifts also. So they're saying that two thirds of mid-size business leaders are saying that finding workers is a challenge. And they're saying this in all sectors. I mean, there's some sectors that are looking for them more than others, like your restaurants and your face-to-face.

Some of this is your aging workforce. We've known this for years now that a lot of people are retiring and the amount of people behind them there's not as many as the workforce

that is retiring. My mother, Linda, is a HR professional, and she's still working, and she loves it. But not everybody is like her. A lot are choosing to retire, which she's almost there, but she's working a lot longer than some. So those that are working longer are going to need accommodations because we do as we age. It's just a common thing.

Then we have those that are experiencing long COVID, and they're having to leave the workforce because they're having to recover from long COVID. This is a real issue. As far as this is a reality, this is real, this long COVID. Some people don't have it. From what I understand, they don't know why some experience it and some don't. Then you have people who don't want to go back to work because of fear of getting re-infected or getting infected in the first place.

And then we have a lot of job openings that people don't have the skills for. Technology is just evolving like crazy. And so here's all these open positions that employers aren't able to fill because they can't find anybody with the skills that they need.

And then some people are finding jobs with better pay. They want something less stressful or a less toxic environment. I think we all kind of looked within and really thought about our lives and where we were in life during the pandemic. We had some... being able to look within to see what it is we really want. Unfortunately, I actually published my book right during COVID; about three or four months after COVID. So it was an interesting time for myself also.

What companies are doing is they are tapping into a new workforce. The word for this is hidden workforce. That's what they call. These are individuals who are actually missing from the workforce that have the skills and abilities, or have the potential of getting those skills and abilities. They've been unemployed for a period of time, and they're trying to reenter the workforce. Used to be recruiters would look and if you had a gap in your employment, they wouldn't even look at you. That's changing.

And then there's people that can't work full time. Maybe because of a disability or for other reasons. They can't afford childcare. It's more expensive to have childcare than it is to support your children and then just work part time. And then there's people who've had

addictions. We know that the pain medicine has caused horrific issues with addictions. So there's people who are recovering and can get back in the workforce and they are maintaining their sobriety.

And then we have people who have the skills and ability that are just plain overlooked because they look at that person and they just assume that they can't do the job. That happened to my aunt many years ago. They wouldn't even look at her because she had a limp from having polio and then she had post-polio syndrome. So they just assumed she couldn't do things. Well, she traveled the whole United States training people for 20 years. So trying to get away from making those assumptions. Part of that hidden workforce is your physical and mental health challenges that people have with disabilities or the history of substance abuse.

So many executives are really starting to focus on closing that field gap. I think part of that is because they're being educated about people's skills and abilities, and also the option about training and different ways to bring people into the workforce. They're posting more attractive advertising that shows that they're disability inclusive. They have an interactive accommodation process plan in place, even though that's might not be what they call it, but they have some sort of plan in place in order to respond to this.

They're making sure that their office is more inclusive. They're looking at remote work as an option. They're looking at providing higher wages. And sometimes [inaudible 00:19:02] because now with technology, there's some things we don't need people to do anymore, and there's other openings that are available. So that can actually be a plus. I know a lot of people think, "Ooh, technology, it's going to take away the jobs," but it's actually opening up different jobs. And it allows for some jobs not having to be so physical like it used to be. There's technology that can help them.

So there's some exciting things coming along, but I know it's not as fast as sometimes people want it to be, and I understand that.

Beth Miller Harrison:

Well, I think that was an interesting discussion and comment, Sheryl, in looking at the importance now more than ever of hiring individuals with disabilities, and then that leads into the importance of having an inclusive hiring practice and inclusive work environments.

What about challenges for employers? Since it is so important now and tapping into this hidden workforce and creating inclusive work environments, what challenges are employers facing in terms of recruiting, hiring, and retaining workers with disabilities?

Sheryl Ellis:

One of the things is that they don't understand the law and how to apply it. If you are trying to recruit these people who have health conditions, and I say the medical conditions of disability, because not everybody sees themselves with a disability. It may be that they have a medical condition or a health condition, but it's still affecting them. It's still impacting the way they do their job, so they're needing to ask for accommodation and they do fall under the ADA.

Also employers are promoting these, and I'm seeing it on LinkedIn a lot, where they're promoting this accessibility in their DEI program. But you want to make sure that you understand what accessibility means and what it entails to be accessible. I'm all excited to see companies doing this. I just want them to understand what it is they need to have in place in order to really support their workforce.

The application software; when you're recruiting and you have them apply through an application process software actually filtering out individual disability, instead they need to get them to be filtering in. So you really need to talk to whoever your software is with and work on making sure that those are inclusive in that they're accessible to other people.

I'm going to say it again, managers aren't trained. We've got to give the managers the support they need and to know what to look for when employee needs an accommodation and how to respond to the accommodation. And it may be that they even aren't part of that. They may be at the end of an accommodation decision, whether that's going to work or not, but it may be HR or an accommodation department or another accommodation

professional who is helping them in that accommodation process. But we have to give them the support and explanation of how this will benefit them and give them the resources they need in orders to support them with these accommodation requests.

Employees aren't trained. Like I said, this is one of those that employees need to know just as much as managers do and other workforce of what is an accommodation, what is not an accommodation? What are those boundaries? What can the employer do? What can they not do? What is the employee's responsibility? And just not understanding what a reasonable accommodation is. That doesn't mean you have to give them whatever they want. It has to be reasonable, and it has to be effective.

Probably another one too, is the interactive process in good faith. It's not this they request an accommodation and then they either get it or they don't, and it's closed. You need to find out those barriers or limitations and you have to sometimes research. Sometimes it's quick. You get it in there and it's easy to accommodate. Others it can be more of a challenge. You can take a lot of research, a lot of trial and error. And then there's that follow up. Make sure it is working for them. How this benefits the employer is they have employees that are productive.

Beth Miller Harrison:

I was just going to chime in there on the interactive process how important that is, and how that really is intertwined in the whole process; the application, the recruiting, everything.

Sheryl Ellis:

Yes, I agree.

Beth Miller Harrison:

I appreciate this conversation. Let's take a little break, Sheryl, for a minute.

ADA Live! listening audience: If you have questions about this topic or any other ADA LIVE! topics, you can submit your questions online at www.adalive.org or call the Southeast ADA Center at 1-404-541-9001. And now a word from this episode sponsor.

Speaker 4:

Augmented HR Solutions, LLC is a consulting firm that helps employers comply with employment laws and provides innovative support services to help companies of all sizes engage and retain employees. They have special expertise in assisting employers and employees with ADA disability-related issues, reasonable accommodations at work, the interactive process and other topics related to Title 1 of the Americans with Disabilities Act. To learn more about Augmented HR Solutions, visit their website at www.aughrs.com.

Beth Miller Harrison:

Welcome back. Before the break, we were talking with our guest, Sheryl Ellis, about some of the challenges employers face in recruiting, hiring and retaining individuals with disabilities.

Sheryl, what are some of the myths and misinformation around recruiting, hiring, and accommodating a person with a disability?

Sheryl Ellis:

Well, I'll tell you at the very beginning of this is just to say misinformation is leading the way in the ADA right now. I think this is common when there's something that employers are trying to implement. And that's something that I really try to work on; demystifying things that aren't real. Some of the ones I hear is employees need to request an accommodation when they're initially hired and if they don't, then they're out of luck. They don't have to anymore. That's not true. They can request an accommodation any time throughout the employment process.

Probably one of the biggest ones that I hear is we're going to lose money by hiring people with disabilities. Well, this is opposite of true. In 2018, and some of you may have heard

about the Accenture that did a survey, and they did a survey on employers who had adopted best practices for employing and supporting people with disabilities versus companies that didn't. What they found out was such critical information. They actually made 30% higher profit margins and have two times the net income compared to those who did not employ and support individuals with disabilities. There's a lot more information about that report.

But it really gave insight also of why this was the case because employees feel safe when they can ask for what they need at work. And companies want to work for employers that are willing to assist their employees and support them. Because they have people there with disabilities, they're able to even have a different kind of customer base, expand their customer base because they understand different types of individuals and what kind of needs that they have.

The other one is employers have no control. They request accommodation. They can do whatever they want. We just have to comply with that request. That's not true either. Employers have the ultimate decision on what accommodation is implemented. I hope that when they make that decision, it has to be just as effective as the one the employee requests, but it is ultimately their decision. I mean, if an employee requests \$1,000 desk and you find one for 500, then that's reasonable. The key there is, it just has to be as effective.

The last one I wanted to go over is just the employee doesn't have to do all their job now. They've requested accommodation so they're not going to have to perform all their job. That's not true. An employer never has to lower their performance standards. I mean, there's sometimes when that person's healing, you may want to temporarily do it, but by law, you're not required to. I always say encourage it if they need a couple of weeks because they're recovering from an episode or from surgery or something. But they still have to perform what's called the essential functions of the job. That's the main functions. It's why the job exists.

There's other minor marginal functions that they may do. Whether it's just taking boxes back to the warehouse, and if they can't because of their back, then that would be a

marginal position that somebody else can do. And I always say, if you have to take a marginal function from that employee, then is there one that could be traded off for another employee so they could do it and maybe they can answer phones or something like that? You never have to expect less productivity. The expectation is that they are to be at the same standards and expectations as other employees, it just may be done a little differently. So that's where we have to think outside the box. We have to be creative about how things can be done, and with technology, it's unlimited. You're going to have those situations that it may not work and it does happen. If you do it the right way. It's not going to be surprised to the employee if you're going to have to reassign them to another position or have to let them go. But there's other options you can do for that also.

So the key here is communication. Really educating yourself as an employer about what's not a reasonable accommodation, what is, and what the interactive process is, what your responsibilities are as well as the employees. It is a two-way street, and it does take two in this situation.

Beth Miller Harrison:

Thank you, Sheryl. That's kind of a good segue into, are there some examples that you could share where an employer did overcome some challenges?

Sheryl Ellis:

Part of that was communication. He had just come back from his having back surgery, and so he couldn't do all the work that he could because he couldn't sit. He was recovering. So what they allowed him to do was to work from home. And because of his position, he was able to work from home. And eventually he would have to come back into the office because of some responsibilities within the office, but they allowed him to be able to continue to work and to do the work that he could do until he got back into the job.

I've had others where the person was falling asleep at the job. They found out that the doctors gave them some options of what they can do in order to alleviate, falling asleep at work. They did not want to take medications or do a CPAP and stuff. They have to be

able to do the work. So if they're not going to do what their doctor says and they still can't do the work, then they end up not being qualified.

Those are two differences where you can work with the employee, and the employee is working with their doctor and you are working with them to allow them to do the work that they can do until they can get back up to doing what they could. That's where you would do a temporarily lowering performance [inaudible 00:31:08] because they knew he could get back up to where he needed to be. And that type of support, I'll tell you, you will get the most dedicated employees when you do that. They'll be with you forever. And other employees see this.

Beth Miller Harrison:

And it's communication. It's what do I need? What do you need?

You have written a book about this; Making It Work: Managing Your Health Condition Through ADA Workplace Accommodations. Can you tell us about your book and how it addresses some of the things we've been talking about?

Sheryl Ellis:

This is really a conundrum for me. Do I write it for HR or do I write it for employees? I ended up writing it for employees, but I made it designed so both employee and employer can use it. The reason that the focus is on employees is so employers can actually look into what the challenges are on their side, but also what information you need for them and what information that the employee can give to show what their limitations and barriers are, and what accommodations that they need.

My whole idea is everything's graphs, examples, charts, a free downloadable workbook. I tried to address every learning style. I was lucky to have a very gifted editor. She helped me to make this as simple as we could make this. It shows you how to understand Title 1 of the ADA, what their rights and responsibilities are as well as their employers, also, how had a research request and discuss accommodations with their employer. But it's also

easily referenced by attorneys and advocates and other people. I also explain in the book how employers can use the book.

My whole goal as a mediator is I want this to work and I want to find different ways to help them work together. It is also intended as a reference. I know people look at my book. It's about three inches thick. It scares them. It's like, "Yeah, this is a reference. This is not something you just sit down and read one time, and that's it." It's a reference throughout the career of the employee. It's also a reference for employers as far as what stage of the accommodation process you are in.

Also, one of the most important things I wanted to put in there is, "Okay, great, Sheryl. You gave me all this information, but I have a difficult manager. I think I'm being discriminated against or bullied. How am I going to deal with this?" So I talk about that and what their responsibility is in the process, because if they go file a claim, if they haven't done their part, then it hasn't really worked. So make sure that you are trying to make this work. Because there's nothing worse than having to file a claim. And I know some people feel like that's a great out, but it isn't. And sometimes you don't have a choice.

But I really want to show you ways to work with them and understand that the managers, employers, are just as scared as you are, just in a different way. The manager is afraid they need somebody who's productive and they're not going to have a productive employee. And the employee's afraid, "Oh my gosh, I'm going to lose my job and I need money." So we're all dealing with this fear. So the more that we can all kind of understand what are those underlying issues and how to address them, the better.

One of the things I wanted everybody to understand too is where are those boundaries? I always get that from employers. It's like, "Okay, but how far do I have to go?" And that's where I go, "There's things that aren't accommodations. There's things that are considered accommodations. Now it's up to you. If you want to be more accommodating than what the law requires, that's your choice." But given some boundaries and teaching your managers and your employees what those are, they know where to come from. They know where they're starting from.

I also go into the veterans, temporary workers, people recovering from addictions, because those are some different issues that they are challenged with and different types of support that are with them also. So I try to address them.

At the end, because one of the things that was so important when I had my incident with getting in the car wreck and finding all these health conditions was, how am I going to manage the personal side of my life and work? I didn't know. Through my own experiences, I learned it's so critical to support the person in their personal life. Now that doesn't mean the employer gets involved with that. That means that you have resources that they can go to. Whether it's the Center for Independence; they help people with a lot of managing their personal lives. It may be that they have an EAP program through their medical.

So seeing what type of resources that could help them manage and balance working and managing their health condition and their personal life, because it all comes together. Like I said, as we know as HR people, you can't get involved in the personal, and you shouldn't, but that doesn't mean you can't have resources in your local community that they may be able to support them. I just talk a lot about those types of things. And they can find my book on Amazon. I have it in Kindle or print, or the American Bar Association is an ebook.

Beth Miller Harrison:

We will include that as resources, how to access your book.

Just as we're closing out here, what advice would you give to people with disabilities who are having problems at work and think they may need to change or an accommodation to help them do their job?

Sheryl Ellis:

Doing your homework. Really doing your homework. Getting some basic information. Even if it's not using my book, just doing some research on what your barriers and limitations are and what type of accommodations that you think you may need. I'll tell you

as an HR person, we love when you come to us and you request an accommodation, and you've told us that you've done some research and you have some ideas for us. And you're able to explain some of the barriers you're experiencing and how it could possibly help you. If you haven't had that medical condition disability, you don't know. And you have to be careful what you ask. And really, what employers need is those limitations and barriers and what challenges you're trying to overcome at work.

Remember, as applicants, we're always promoting and marketing ourselves. So this is no different. How is providing you this accommodation going to enable you to do a good job? So think of it that way. It's just like if you're trying to get a promotion or you're trying to get a good performance or a review, here you're trying to show how this is going to benefit you and the employer.

Even if you have to go on leave, you have to go on leave to take care of your health so you can come back healthier, being able to do your job. One thing I do want to say about that is when people come back from being on leave, they're not going to come back 100%, and you can't have those 100% policies either. But know also that it takes some time to transition back. The EOC really says, "Ask them; do they need a reasonable accommodation to coming back from leave?" That doesn't mean it's permanent whatever it is they need. They may still may need some sort of accommodation, but it may not need three or four that they're asking for as a return. But realize it takes some time to reenter the workforce if you've been gone for a couple of months.

You don't have to give them the details of your diagnosis. It's not about the employer knowing everything about your health condition. They just need to know how it's impacting you at work and what you need in order to overcome those barriers.

Sometimes it takes several tries. I know I was trying to find a chair. And I tell you, it took two or three chairs. Because I had never had to have a specific chair before, it took a while to get that. And of course I felt guilty. But you can ensure that whatever chair you get, you get a 30 day money-back guarantee or something. Now they're doing things where you can actually have somebody come in and do an ergonomic assessment. And that pays for itself twofold because if you're just doing some guesswork of what chair's

going to work, it's going to take some time to figure that out. So having standard ergonomic assessments, even as a proactive way to help people from getting disabilities, can be something too or wellness programs.

You may need different accommodations during your work. People get sick, they get well, they get injured, things happen to them. And it may be that you needed an accommodation for a while, now you don't need it. But now you've changed jobs within the company, and there's something else you may need. The more that you can be aware of; it doesn't have to go perfect the first time when you request an accommodation, it is really trial and error sometimes.

Beth Miller Harrison:

I think that's excellent advice; just keep trying.

Sheryl, thank you so much. You have given us so much to think about today. We really are thankful that you could be our guest.

Sheryl Ellis:

Well, thank you. The only last thing I wanted to say is I really encourage employers to consider doing an ADA audit, even if they're not going to do a whole disability inclusive program, but just a basic audit to make them in compliance and have some awareness. I think that that's a good way to start if they're just not quite ready to promote themselves as that, but at least have those basic things in place that can help them assist employees.

Beth Miller Harrison:

They can start from that baseline.

Sheryl Ellis:

Yes.

Beth Miller Harrison:

Right. Great. Thank you so much, Sheryl.

Sheryl Ellis:

Well, thank you for having me.

Beth Miller Harrison:

You're welcome.

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Our producer is Celestia Ohrazda with Beth Miller Harrison, Mary Morder, Marsha Schwanke, Chase Coleman, and Barry Whaley. Our music is from 4 Wheel City, The Movement 4 Improvement.

See you next episode.

4 Wheel City: (rapping)

[End of Transcript]

Disclaimer: The contents of this publication are developed under a grant from the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR grant #90DP0090-01-00). NIDILRR is a Center within the Administration for Community Living (ACL), Department of Health and Human Services (HHS). The contents of this publication do not necessarily represent the policy of NIDILRR, ACL, HHS, and you should not assume endorsement by the Federal Government.

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