

# NEA Disability Rights Toolkit

## Accommodation Checklist

Use this checklist to determine if a person is entitled to changes to the work requirements or environment of job they seek or hold as an employee

1. Is the person defined as a person with a disability based on a current impairment or a record of a disability (see Disability Rights coverage Checklist)?
2. Is the employer aware of the need for accommodation because?
  - a. Request by applicant or employee
  - b. Need is obvious
  - c. Or employer should have inquired based on available information
3. Is accommodation related to the person's performance of essential job duties of position they hold or seek?

### Interactive Process

4. Has person complied with employer's processes for requesting an accommodation?
5. Has person provided employer with information requested related to accommodation request?
6. Has person provided documentation from their health care provider?
  - a. If requested by employer
  - b. Demonstrating substantial limitation on major life activity
  - c. Based on essential job duties of position held or sought
  - d. Within reasonable amount of time
7. Has person identified at least one specific accommodation that would enable them to perform the essential job duties and that is otherwise reasonable?
8. Has employer responded to the request/need for accommodation within a reasonable period of time?
9. Has employer provided person with opportunity to discuss what accommodation(s) are needed to perform essential job duties?

10. Has the employer engaged in an individualized analysis of whether the accommodation is related to the person's disability and the person's performance of their essential job duties?
11. Has employer considered accommodation(s) proposed by person, based on a thorough job analysis and impact on its operations?
12. Has employer approved at least one accommodation that enables person to perform essential job duties?

#### Reasonableness of Accommodation

13. Is the need for accommodation directly related to the person's disability?
14. Has the employer accurately identified the essential job duties of the position sought or held by the person seeking accommodation?
15. Has employer justified any reliance on or strict adherence to any policy that would prohibit requested accommodation?
16. Has employer considered these generally accepted accommodations, if employee can still perform essential job duties?
  - a. Change in schedule or working hours
  - b. Telework or remote work
  - c. Reassignment of nonessential duties
  - d. Provision of assistive technology
  - e. Temporary leave for specific period of time
  - f. Changes in methods of supervision
  - g. Temporary assignment to light duty if otherwise provided
17. If employee cannot be accommodated in current position, has employer considered transfer to vacant position for which person is otherwise qualified?
18. Has employer provided the reasonable accommodation(s) within a reasonable period of time?