



## PREVENTION CORNER

# Reasonable Accommodation: In the Workplace



A reasonable accommodation is any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are considered “reasonable” if they do not create an undue hardship or a direct threat.

According to the U.S. Equal Employment Opportunity Commission (EEOC) and Title I of the ADA, each request for a reasonable accommodation must be considered on a case-by-case basis. And because employers are legally required to provide these accommodations, having a clear and up-to-date comprehensive workplace policy is crucial to helping managers and staff understand and comply with legal requirements.

### Employer Obligations

Under the Americans with Disabilities Act, employers who have 15 or more employees are usually required to provide reasonable accommodations.

In determining what is reasonable, an employer must look at the request made by the applicant or employee with a disability. Whether or not an accommodation is reasonable will vary according to the position the employee holds, the way their disability affects their ability to do their job, and the environment that they work in.

### Types of Reasonable Accommodations

- Improve accessibility in a work area.
- Allow a flexible work schedule.
- Change the presentation of tests and training materials.
- Light duty or change of job tasks.

### Examples of Reasonable Accommodation

- Service Animals
- Reorganization of the job
- Provide Alternative Formats

## What is the Interactive Process for Reasonable Accommodation?

When processing reasonable accommodation requests, the Equal Employment Opportunity Commission (EEOC) recommends employers use the interactive process, which means the employer and the individual requesting the reasonable accommodation work towards a mutually acceptable resolution.

- The interactive process involves both the employer and the individual making the accommodations request.
- After an employer receives a request from an employee, both parties participate in the interactive process to determine what type of accommodation, if any, the employer needs to provide.

### Checklist:

1. Recognize an accommodation request.
2. Gather information.
3. Explore accommodation options.
4. Choose an accommodation.
5. Implement the accommodation.
6. Monitor the accommodation.

Source: [Interactive Process \(askjan.org\)](http://askjan.org)



## REASONABLE ACCOMMODATION: UNDUE HARDSHIP

An employer does not have to provide a reasonable accommodation that would cause an “undue hardship” to the employer.

Undue hardship is an “action requiring significant difficulty or expense” on the operations of the employer’s business.

Source: [Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](http://eoc.gov)

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### \*Resources & Tools\*

#### U.S. Equal Employment Opportunity Commission

##### *Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA*

This *Enforcement Guidance* clarifies the rights and responsibilities of employers and individuals with disabilities regarding reasonable accommodations and undue hardship.

- This *Guidance* examines what “reasonable accommodation” means and who is entitled to receive it.
- The *Guidance* addresses what constitutes a request for reasonable accommodation, the form and substance of the request, and an employer’s ability to ask questions and seek documentation after a request has been made.

Source: [Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA | U.S. Equal Employment Opportunity Commission \(eeoc.gov\)](https://www.eeoc.gov/eeoc/guidance/enforcement-guidance-reasonable-accommodation-and-undue-hardship-under-the-ada)

#### **How can I schedule training?**

(803) 737-7800 or (800) 521-0725, Relay 711  
email: [training@schac.sc.gov](mailto:training@schac.sc.gov)

**EEO laws are designed to protect the rights of ALL individuals.**

**\*\*Please Note: This newsletter is not intended to be used as legal advice.**



**If you feel like you have experienced discrimination,  
contact us for help.**

**(800) 521-0725, Relay 711 or 803-737-7800**

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**South Carolina Human Affairs Commission  
1026 Sumter St., Suite 101  
Columbia, SC 20201**

<https://schac.sc.gov/>



**The mission of the South Carolina Human Affairs Commission is to Prevent and Eliminate Unlawful Discrimination in Employment, Housing, and Public Accommodations.**

The South Carolina Human Affairs Commission strives to alleviate problems of discrimination through the enforcement of the SC Human Affairs Law (*including the SC Pregnancy Accommodations Act and the SC Lactation Support Act.*), the SC Fair Housing Law, and the SC Equal Enjoyment and Privileges to Public Accommodations Law.