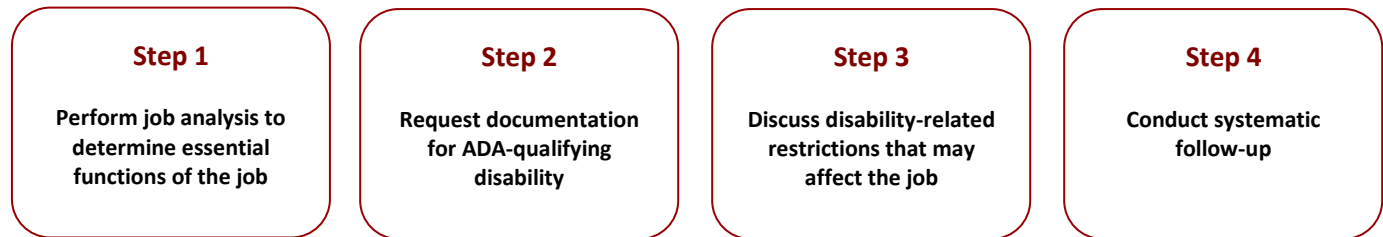


Conducting a Reasonable Accommodation Interview

The Reasonable Accommodation Interview

Technically, according to the EEOC (Equal Employment Opportunity Commission), the interactive process is not required under the ADA. However, this step allows the opportunity to streamline the reasonable accommodation process and ensure that effective accommodations will be provided.¹ Please consider using the suggested guidance for reasonable accommodation interviews.



The Reasonable Accommodation Interview (RAI) is designed to provide an equal employment opportunity for an employee with one or more disabilities. It also gives the employer a chance to fairly and accurately assess the impact that an employee’s disability has on the performance of the essential functions of his or her job. It is *assumed* that the employer has accurately assessed the essential functions of an employee’s job prior to the RAI.

The dynamics of this interview are similar to a job interview. Performance problems should not be discussed in the RAI because the dynamics of a RAI are not punitive or reward-based but are fact-finding, problem-resolution based.

Step 1: Ensure That a Job Analysis Has Been Performed to Determine the Essential Functions ✓

1. Review the employer’s job analysis process.	
a. An ADA-compliant job analysis process has been performed.	
1. The essential job tasks identified include quantity and quality requirements.	
2. The behavioral requirements of the job have been stated in measurable terms.	
2. Review the employee’s job description.	
The essential functions of the job have been identified, including:	
a. Physical requirements for performing the job.	
b. Behavioral characteristics essential for job performance.	
c. Marginal functions not essential to job performance	
d. Minimum qualification requirements essential for the position.	

Step 2: Request Related Documentation Regarding Employee’s ADA-Qualifying Disability ✓

If time allows, prior to a formal meeting to discuss a reasonable accommodation request, the employer should request the following from the employee and the employee’s treating physician or other acceptable medical professional.

1. Related Documentation.

The relevant disability from the employee's treating physician or other acceptable medical professional has been validated, including:

- a. Employee has provided the medical professional with the definition of a disability.
- b. Employee has provided the medical professional a copy of the employee's job description with the essential functions listed and described in detail.

2. Professional Medical Opinion.

- a. A professional medical opinion has been obtained that describes the impact of the disability on the employee's ability to functionally perform each essential function of the job (some essential functions may not be affected at all), if necessary.

3. Reasonable Accommodations.

- a. The professional medical opinion includes suggestions for reasonable accommodations, if necessary.

4. Preparation for Reasonable Accommodation Interview.

- a. The employee has been asked to submit or bring the above information to the Reasonable Accommodation Interview (Step 3).

Step 3: Meet With the Employee to Discuss Disability-Related Limitations That May Affect the Job ✓

During the informal *Reasonable Accommodation Interview*, employers, managers, supervisors, or ADA coordinators should begin by reviewing **employer's** responsibilities under the ADA and the purpose of the RAI with the employee.

1. Review Employer's Responsibilities under the ADA.

Statements such as the following have been used: "As an employer, I am responsible to make a good faith effort to...":

- a. Provide reasonable accommodation(s) for the employee. (Provide reasonable accommodation examples, if possible.)
- b. Provide equal employment opportunities.
- c. Provide accommodation unless to do so would be an undue hardship or pose a direct threat to the employee or other employees.
- d. Inform the employee of the consequences of failing to identify a *reasonable* accommodation that will assist the employee in performing the essential functions of the position; the employee may be considered unqualified for the position and it may be necessary to discuss reassignment.

2. Discuss Reassignment to Another Position.

- a. Explain that reassignment under the ADA is:
 - Lateral placement, not demotion.
 - Into a position for which the employee is qualified.
 - Only to a position that is open or will come open within a reasonable amount of time.
 - May require the employee to compete with others for the open position just like any other applicant.

3. Ask the Disability Question.

- a. Ask the employee, in a documented interview setting, if he or she considers himself or herself to be a person with a disability.

4. Ask the Impact Question.

- a. Ask the employee what impact their disability has or will have on their job performance.

5. Review Essential Functions and Impact.

- a. Review the essential functions of the job and ask what impact the disability has on each specific job function.

6. Brainstorm Potential Accommodations.	
a. Brainstorm potential accommodations with the employee.	
7. Agree to Provide Equal Employment Opportunity through Reasonable Accommodation(s).	
a. Come to an agreement or resolution for providing equal employment opportunities through reasonable accommodation(s).	
8. Research Accommodations.	
a. If no accommodation is identified, research accommodation solutions and alternatives with other professionals.	
9. Keep Record of Reasonable Accommodation Interview.	
a. Reasonable Accommodation Interview results are filed in the employee's confidential medical file or the confidential file of the ADA Coordinator; not in the employee's personnel file.	

Step 4: Follow-Up ✓

1. Conduct Systematic Follow-Up.	
a. Follow-up with the supervisor within 10 days.	
b. Follow-up with the supervisor within 1 month.	
c. Follow-up with the supervisor within 60 days.	
d. Discuss effectiveness of accommodation with employee.	
e. Document all follow-up information.	

Formal Documentation and Record Keeping

Reasonable Accommodation Interview and Follow-up documentation will be filed in the employee's confidential medical file or the confidential file of the ADA Coordinator; not in the employee's personnel file.

Copies of the Reasonable Accommodation Follow-up will remain confidential and be provided directly to the employee or a complaint investigator, if requested.

For more information about reasonable accommodations:

Northwest ADA Center

800-949-4232
www.nwadacenter.org

The Job Accommodation Network (JAN)

800-526-7234 (V); 877-781-9403 (TTY)
<http://askjan.org>

Equal Employment Opportunity Commission (EEOC)

800-669-4000 (V); 800-669-6820 (TTY)
www.eeoc.gov

¹Effective Accommodation Practices (EAP) Series: The Interactive Process. This document from the Job Accommodation Network provides valuable legal advice about the reasonable accommodation process.



The Northwest ADA Center is a member of the ADA National Network. This fact sheet was developed under grant from the Administration for Community Living (ACL), NIDILRR grant #90DP0095. However, the contents do not necessarily represent the policy of the ACL, and you should not assume endorsement by the federal government.

Alternate formats available upon request.