



RETAIN Webinar

Facilitating Accommodations in the RTW/SAW Environment

Facilitator/Subject Matter Expert (SME): Curtis Richards

Tuesday, September 24, 2019 2:00 p.m. et

Services provided by Caption First, Inc.

* * *

Transcription:

>> Hi. Welcome, everyone, to today's RETAIN TA Webinar. My name is Shoshana Rabinovsky, and I will be handling the backend technology for today's event. If you look at the center of your screen with the "dial out" options, please make sure you use the audio feature if you want to verbally participate in today's webinar.

And in the next slide, if you have any questions at all during today's event, please feel free to use the Chat pod. You can also use the Raise Hand button to ask your question if you would like to ask a question out loud. That will signal us to call upon you or ask you to unmute so that you can ask your question. Again, you may be unmuted occasionally to interact verbally if you wish, and please make sure that you remain muted when not speaking.

If you have any technical questions during today's event, again, please use the Chat box, and we will work with you on troubleshooting.

Lastly, I just want to point out our Captions pod right below this Presentation

pod. Here are some tips for customizing the closed captioning box. So on the far left, you can select Font type, color, and size. In the center, you can click the small arrow to hide the formatting choices and see more lines of captioning. On the right, be sure Auto scroll is checked is captioning will automatically scroll in time. And lastly on the right, there's also a word search feature.

And now I will pass it on to Mona.

>> MONA KILANY: Great. Thank you, Shoshana, and welcome, everybody, to today's webinar, Facilitating Accommodations in the return-to-work/state ath work environment. I will be your -- stay-at-work environment. I will be your moderator today, but before I get into the details, if everybody who has joined could take a moment do introduce yourself in the Chat pod, let us know your name and what state you are from, that would be great, and feel free to ask questions throughout the webinar to our speaker.

As I said, my name is Dr. Mona can I Lanny, a researcher with the American Institutes for Research, the RETAIN provider, and I am the Deputy Project Director for the RETAIN TA team. Thank you again for joining us for today's webinar. Before we get started, a brief note about RETAIN. The Retaining Employment and Talent after Injury/Illness Network is funded by the Office of Disability Employment Policy, referred to as ODEP, out of the U.S. Department of Labor. It is a joint initiative by ODEP and in partnership with the employment and training Administration and the Social Security

Administration. {OOPS/}

Through the cross-sector collaboration work of eight state teams, RETAIN focuses on an important dimension of disability employment, stay-at-work/return-to-work strategies. It's about helping people who become ill or injured during their working years to remain in the labor force.

During today's webinar, we hope that you will be able to identify appropriate accommodations for injured workers, be able to assist the injured worker in exploring accommodations, assist the employer in understanding the importance of accommodating the injured worker; and finally, identify national, state, and local accommodation resources to support your RETAIN team.

So I want to introduce our speaker for today, Curtis Richards. He has a bachelor's of arts degree in government and journalism from California State University in Sacramento and is an advocate on behalf of people with disabilities. Curtis, would you like to tell everyone a bit more about yourself?

>> CURTIS: Sure. Thank you, Mona, for the introduction and the opportunity to do this webinar. I am, first and foremost, an advocrat, meaning part advocate and part bureaucrat. I like to interpret for both sides so they understand each other. I am a disability policy consultant who has been doing this work for a good 20 years or more. As you may see on the screen, I am visually impaired, so I am using accommodations as we speak, so I have some personal knowledge about how accommodations work. I am

not a workers' comp person. I am not a lawyer. So hopefully we will be able to have a conversation here that will be helpful without getting too much into legalisms and weeds of federal/state statutes.

>> MONA KILANY: Great, Curtis. Today's format will be an interview style, so we are going to jump into the questions we have on job accommodations. The first question for you, Curtis, being what are accommodations?

>> CURTIS: Am I projecting enough for you, Mona?

>> MONA KILANY: Yes.

>> CURTIS: Excellent. So accommodations are, in essence, any change to the work environment or the way things are customarily done at work, and the basic point is to try to enable the person with a disability, the injured worker, to enjoy equal employment opportunities and to mitigate any potential discrimination that may occur. Typically there are three types of accommodations that folks consider. The first one is making some adjustments to the application process to make sure that it's accessible; so for example, a form for me that would be in really tiny print, we would need to figure out how to make it larger so I could actually fill out the application. Or a Web application that would need to be made accessible or somebody who has a visual impairment or other kind of disability.

The second one, it would be in making adjustments to the work environment itself, such as maybe putting in a ramp for somebody in a wheelchair or making other

kinds of modifications to the physical environment.

And then the third major area is to make sure that benefits of the employment are provided equally. So if you are having a Christmas party somewhere, you need to make sure that it's accessible to somebody in a wheelchair or the layout of the room is accessible, et cetera, so that, you know, the person with a disability, the injured worker, will be able to enjoy the full benefits of the event or activity that everybody else would be able to enjoy.

One of the things that you are probably going to hear me say several times today is that accommodations -- accommodations really need to be looked at on an individual basis. Right? What works for me doesn't necessarily work for the next person who also has a visual impairment because we may have different kinds of visual issues. So we want to make sure everything is evaluated on a case-by-case basis.

So just a couple of quick examples, making facilities accessible, job restructuring, part-time or modified work schedules, acquiring or modifying equipment, changing tests or training modules or policies, providing qualified readers or interpreters, and even reassignment to a vacant position. I could go on and on, but I think I will let you ask the next question.

>> MONA KILANY: No, I think that's a great explanation, Curtis.

So my next question is what does "reasonable accommodation" mean?

>> CURTIS RICHARDS: In the context of public policy, the Americans with

Disabilities Act, which is the civil rights law banning discrimination on the basis of disability, and it gets into a whole lot of specific issues around employment and government services and private services, accommodations, shopping centers, all that sort of thing. But in the context of employment, they talk about having to make sure that you can provide a reasonable accommodation to a qualified employee who can do the job with or without a reasonable accommodation unless there is an undue hardship on the employer. So the notion of reasonableness then gets into what is common sense is the best way to look at it. What seems feasible? What seems plausible? Are you asking for the moon, or are you just asking for a piece of a star? Right? So really, what seems to be -- makes some sense.

The reasonable accommodation also must be provided, whether it's somebody who works part-time, full-time, or is on a probationary status. I use the word "qualified" because a lot of people don't realize, you know, just because I have a disability doesn't mean I am qualified to do the job. So give me a reasonable accommodation. What the rule is is you've got to first meet the qualifications of the job, to do the essential functions. Again, another key buzzword or phrase, "essential functions." So the employer would have to lay out truly what is absolutely essential and what is additional, and then you sort through what becomes an accommodation.

There are a couple of things that would not be considered a reasonable accommodation that I wanted to cover as well. So for example, it's not reasonable to

eliminate one of the essential functions of the job. It's not reasonable to lower performance standards, whether qualitatively or quantitatively. And it's not reasonable to provide personal use items, such as eyeglasses or hearing aids or things that the person would need in the workplace and outside of the workplace.

The bottom line around reasonableness here is that it really -- and we will talk about this in a minute -- but it really -- the employer has the final say. Hopefully things can get worked out so the employee who is requesting the accommodation can understand the employer's decision. But in the end, it's going to be what does the employer see as reasonable? Something that doesn't break the bank. Something that doesn't fundamentally change the job, those would certainly be considered unreasonable.

>> MONA KILANY: Okay. That's great. So the next question we have -- actually, I think we are out of order -- is how does the injured worker learn about accommodations?

>> CURTIS RICHARDS: That's an interesting question because it's going to vary. When you have just been injured on the job, where do you go, where do you turn, most likely the employee would be first learning about possibilities by talking to the medical team, by talking to the physical therapist or the occupational therapist that they have been working with or that needs to be brought into the conversation. And then, you know, once the employee starts to get a sense, then, you know, they would likely be

talking to somebody, whether it's the HR coordinator or the employee assistance program coordinator, they would be talking to friends, they would be talking to family, and these days they sure would just jump on the Web and start searching. You know, and again, I will say this several times because I truly believe it, the best source, really, for folks to go explore accommodation possibilities is the Job Accommodation Network, askjan.org, and I am sure most of you have heard about JAN and are using it.

Does that make sense, Mona?

>> MONA KILANY: That does. Thank you, Curtis. Just a reminder to everybody listening in, if you have questions throughout the webinar, feel free to raise your hand or to put your question in the Chat.

So next question is how do you go about determining which accommodations work and are appropriate?

>> CURTIS RICHARDS: So the employee, in essence, is the one to initiate the request for an accommodation. And then presents the request to the employer. Hopefully the employee has done some research, maybe even gone out and tested the different kind of accommodations, because there could be several. So for example, I use a screen enlarger and document reader to help make the computer accessible to me. I am a ZoomText user because that's what I've been using for 25 years, so I keep getting the upgrades, but there are other doc readers, screen readers, and even today, Microsoft particularly has built into -- and I believe Apple has as well -- built into their

system accessibility features. So you know, one needs to know what's there and test it out and then make the request.

Once the request is made, then the employer has a responsibility to evaluate the request, make a decision, you know, do some of their own research, particularly if they are not going to accept the request -- the initial request and they want to look for alternatives. That's certainly something that they can do. And then between the employer and the employee, have a discussion, have some conversations about what -- which accommodation is going to work, which accommodation is best, which one do they think would be more appropriate, which one is reasonable, and hopefully work it out.

I do want to say that oftentimes there will be additional accommodation needs. So for example, in my case, after, you know, a certain number of years, there was a new piece of technology that came out that would -- it's called a closed circuit TV, would take a picture of an Adobe document or an inaccessible document and then read it back out loud to me. That didn't exist when I was starting. So you know, that became an additional request that I made personally, and you know, helped me with inaccessible publications and long reports and those sorts of things. It is, you know, certainly something that -- or possible that an employee may come back and ask for an additional. It may be that the standing desk, you know, that raises so that they can stand at the workplace wasn't the best option or that the ergonomic chair was a better option. Right? So it's those sorts of things that, you know, you may see that comes back,

people may come back with later.

>> MONA KILANY: So it's not a static request is I think what you are saying.

>> CURTIS RICHARDS: Correct.

>> MONA KILANY: Yep. Okay. So now turning to the employer's side, how does the employer learn about accommodation?

>> CURTIS RICHARDS: So again, generally speaking, the individual will request an accommodation. Then the employer would be doing their own research, doing their own evaluation, and again, one of the best places to turn is the Job Accommodation Network, which you know, allows an employer, employee, return-to-work coordinator to go in and suggest accommodations for various disabilities. Like lupus, all of a sudden you get this list of potential ways to make accommodations. You know, the other thing that they may do is connect with their colleagues or their peers who, you know, may have similar workers with similar injuries that they would be -- would have provided some accommodations for.

>> MONA KILANY: Okay. So let's turn to the what is person-centered planning and how can it help the injured worker?

>> CURTIS RICHARDS: So again, in the context of disability public policy, we have this concept known as person-centered planning. Some of you may be familiar with it. It's a pretty simple concept in which, in essence, you sort of back up and take a more holistic look at the individual to see what their needs, their desires, their abilities, you

know, after the injury would be. And this is done with the employee at the center helping lead and guide things, but having various people around him or her to participate more as a team. So in this case, you know, the primary care physician may be part of it, the OT, the PT, the -- sorry, the occupational therapist, the physical therapist, the spouse, you know, the sister, people who know the employee, obviously, somebody from the employer side, and take a look at everything, not just one piece of what the individual may need.

For example, particularly if you have a significant injury or you have a stroke and you are trying to figure out how you are going to go back to work, you have -- the individual is going to, rather than just focusing on what piece of technology might help -- which is part of what you need to look at, but there's also going to be some underlying issues that would be occurring too, such as the lack of confidence, the fear about going back to work, so you know, several sort of psychological things that would need to be unfolded and addressed.

You know, anybody who goes through some sort of trauma like that is going to have issues that need to be focused on, and then hopefully the team will be able to put pieces in place to start taking some action. And it may be, you know, just limited to, you know, being able to get back on the assembly line after a significant back injury. But it's also going to need to include stuff like the kind of physical therapy, kind of psychological therapy, the counseling that somebody might need. You know, is there a

piece of technology that would be helpful too? You know, those sorts of things.

I think also in the context of the health arena, right, this would be akin to -- what do they call it? -- patient-centered planning that is starting to catch on in the healthcare industry.

>> MONA KILANY: Right. So let's turn to some specific examples of accommodations. Can you give some examples of what accommodations might look like?

>> CURTIS RICHARDS: How much time do we have? (Chuckling)

Again, I just want to start this piece off by reiterating that every disability is going to be different and that you really do need to take a look at individual and the individual type of accommodations that would be needed.

So you know, generally, I want to sort of list a couple of things generally, then I want to talk about some specific people, if that's okay.

>> MONA KILANY: Uh-huh, go ahead.

>> CURTIS RICHARDS: So first of all, you want to look to see whether you need to create or install a ramp of some sort. Again, what modifications need to be made to the physical environment. You need to upgrade or get some ergonomic work space issues, purchasing special desk, you know, or in some cases. We are just talking about raising a desk by putting it up on blocks, very simple, just wood blocks. When I mentioned the standing desk that's become popular these days, reducing screen --

computer screen exposure or flashing lights, changing lighting, changing, you know, a workstation. Right? I know somebody who had serious allergies, and you know, so they had to move that person from basically across the office in order to make sure that she wasn't affected by the vent that was blowing, you know, everything around.

Providing additional breaks or leave. You know? And then another one that is very feasible or reasonable is the notion of being able to work from home, which so many of us do these days as it is. It's not just an accommodation for somebody with a disability; it's also an accommodation to get people off the road; right?

A couple of examples. I use -- I have personally that I purchased magnifying glasses to be able to read -- you know, put paper up close to my face and read. I use the ZoomText that my employer purchased. I purchased one for home, but my employer purchased one for me to have at the office. The CCTV. When I go to the movies now, you know, in a theater, I take advantage of the audio description so that particularly if the movie is really dark or things are moving fast and furious, audio description is kind of like the captioning that you are seeing now, only it's technology me the things that don't have voices over them, you know, what is going on.

A friend of mine recently had a stroke, about a year and a half ago, and is working his way through physical therapy and trying to get back to work. And so he is now using communication device, which is basically a computer with a touchscreen that he is able to type into it and have it speak out loud for him because he is nonverbal. His

mind is great, but he's lost his ability to speak. So there are devices like that.

I had a woman who worked with me for a couple of years who had a traumatic brain injury. We didn't know it when we hired her. She didn't disclose it. But you know, her job was to be the administrative assistant and keep things moving. So she got confused easily. We found all we had to do was to color coordinate stickies to keep her on track. That was very effective for keeping her organized.

I had another person worked for me who had fibromyalgia, and you know, she did disclose in her interview, didn't at that point ask for an accommodation, but as time went on, we were going to see how things went, and she asked for an accommodation. In her case, what we needed to do was give her some breaks during the day. We had to make sure that she had a place to go quietly rest. And in the end -- not in the end -- you know, after a period of time, we also discovered that it was better if she would work from home at the middle of the work. So she would have the first couple days, the stress would build up, then she could work from home at her leisure, take a nap in the middle of the day, get back up and go to work. And that worked out very effectively for her. She is very much thriving in the workplace. There was a story on the news the other day about Tesla and a situation in California where a worker had a trunk fall on his back, and he had a very significant back injury. So along with some physical therapy, what they wound up doing as an accommodation, at least at first, was to give him some light-duty assignments.

I do want to say a little about disclosure here. Because all disclosure of your disability, of your condition, is personal to make. Right? I know that we are talking about injured workers, but we are also talking about people who we want to be able to stay at work. We are talking about people who want to re-enter the workforce. So It's important to remember that all disclosure is personal. It's up to the individual to do the disclosure to the employer, to the supervisor. They need to know how, when, where, what's the best way to do so, and folks need to understand the intricacies of keeping things confidential, what you are allowed to ask, what you are not allowed to ask. So you are not allowed to ask questions in an interview about a disability unless the person has disclosed something to you. The Americans with Disabilities Act does allow for you to ask questions about an injured worker because you know the injury and/or send them out for an exam, but it has to be restricted solely to the injury, about the injury. So if some mental health issue comes up in the context of, you know, the back strain, the back injury, then the mental health injury is not something that you can be asking questions about or that the exam should be covering. So disclosure is a bit tricky, but the main thing to keep in mind is that it really is up to the individual.

Is that enough examples, or do you want me to go on?

>> MONA KILANY: I am sure we could talk about this all day on its own, but let's go ahead and move on to talk a little bit about where can a return-to-work coordinator find accommodation resources?

>> CURTIS RICHARDS: So I thought a lot about this one because there is a lot out there, and certainly with the Web now, it's a lot easier to find accommodations. But I guess the way I think about this is the return-to-work coordinator needs to know where the national resources are, where the state resources are, and where the local resources are. And that's a lot. I fully realize that. Again, starting with the Job Accommodation Network is, you know, the best place, askjan.org, but you also want to think through or, you know, reach out to the state rehab agency, vocational agency, you want to know resources that may exist at universities. There are these things called UCEDs, University Centers of Excellence on Disability. Every state has one, some states, like California, have multiple UCEDs. You also want to think about what are the service providers in the area. There are going to be national associations, there are going to be sometimes state associations, but I am talking about the Lighthouse Board for the Blind, for example, in San Francisco. A lot of communities have -- larger communities have organizations that are there to help people who have blindness or visual impairments navigate the world. They'll do travel training. Oftentimes they'll have stores where you can buy everything from large-print playing cards to braille stickers that you can put on your clothes or monoculars. Similarly, you know, there are agencies and organizations that provide services around people who are deaf and hard of hearing. There are agencies that provide services to folks who have brain injuries or mental health issues.

You know, so you want to get to know who those are and ask questions. You know?

Ask questions. I mean, even within state governments, right, you have the vocational rehab agencies, you have developmental disabilities departments, you have state Independent Living Councils, every state has an assistive technology grantee that you would need to figure out that some of them are, you know, stronger than others where they actually have some kind of a lab that you can go to where you can test different kinds of technology. But they are a resource to be able to help you figure those out.

There are state-level committees on the employment of people with disabilities, oftentimes they are called governor's committees. I mentioned UCEDs. Oh, this is another excellent resource. Across the regions of the country -- and I forget. Are we at 12 now? Each region has what's called -- where did it go here? It's called a disability business technical assistance center. They are funded by the government for the purpose primarily to help employers understand the intricacies of the Americans with Disabilities Act, and they will be a good resource to figure out where you can go find accommodations. Locally a lot of cities and rural areas have what are called Independent Living Centers, centers run by people with disabilities for people with disabilities, and they are a great place for getting references about how to do things, where to do things, where the technology would be, you know, and oftentimes you are going to find, you know, in talking to folks like that, that there are actually simple accommodation that is can be made. Not everything has to be complicated.

Then the other thing I would suggest is you want to look at where are the self-advocacy organizations because peer-to-peer, you know, is often so much stronger as people are trying to figure out what to do and how to do something than, you know, what could be a power situation between an employer or manager and a person trying to return back to work. So for example, the national Association of the mentally ill, NAMI, is a really great resource for folks understanding {OOPS/} mental health issues. There are several organizations like that. The autism self-advocacy network is really {OOPS/} a great organization to help people across the spectrum, autism spectrum. And you know, there are blind organizations, there are deaf organizations, there are brain injury organizations. So you know, helping, as part of that person-centered planning resource team, helping connect people with those kinds of self-advocacy organizations.

Mona, I had one thing that we didn't cover that I think is important for people to know here as well, and that is that we talked about a lot of different kinds of accommodations, but a lot of times employers are scared off because they think it's so costly. Yes, my CCTV that reads out loud and talks to me was expensive, but the Job Accommodation Network for the last 15 years has been doing an annual survey of employers, and in essence they find that employers are saying that most accommodations -- most employers are saying that most accommodations are either no cost or very low cost, with the average cost being somewhere in the neighborhood of

around \$500. That's really not a lot of money when you are talking about trying to retain your good longstanding employees.

Does that make sense?

>> MONA KILANY: That does. Are there supports out there, turning on your cost point there, there are support out there for employers, maybe small businesses to help them provide some of those other accommodations and adjust for the cost?

>> CURTIS RICHARDS: There are small business tax credits that are available. It's debatable how effective those are, but it is an incentive in the statute to help smaller employers, smaller businesses be able to make accommodations.

>> MONA KILANY: Okay. That's great. I just want to remind folks that if you have questions, you can raise your hand or type them into the chat box. Otherwise, Curtis and I will -- I will keep asking you questions, and we'll wait for some additional questions from the audience to come in.

So Curtis, can an employer request a medical exam at the time of an injury?

>> CURTIS RICHARDS: I believe the answer to that question is yes because we need to understand the injury. But again, the medical exam has to be related just to the injury. It cannot be a full-blown, you know, physical or whatever. It needs to be addressing the injury itself.

>> MONA KILANY: Yes, I saw, we had a question about whether we will get a copy of the slides after the presentation. We will send out a copy of the slides. The

recording will be available on the rock, and we will also make sure that all of the resources that Curtis listed out will be available to you so that you can use it for your trainings, for your return-to-work coordinators, for any toolkits that you are putting together. We will make sure that you have those available.

>> CURTIS RICHARDS: Mona, along those lines, I again want to give a plug to JAN because they have a really excellent paper on their website, job accommodations for return to work, that gets into specifics, like industrial injuries, in the service industry, in the medical industry. It's a really, really, really helpful paper. Then the folks up at Cornell also, School of Industrial Relations, also have a couple of really good pieces that -- and I will make sure you get those links so you can share them.

>> MONA KILANY: There is a question about which website you are referring to. I am not sure, Nancy, which website. I think we listed out several websites. I know we talked about askjan. I am going to have Nancy clarify which website she is referring to. In the meantime, the papers you mentioned, Curtis, she wanted to know which website the papers you mentioned are available on.

>> CURTIS RICHARDS: First of all, the Equal Employment Opportunity Commission has a really excellent guide, and that's just EEOC.gov/policy/docs/accommodation. It's a really nice guide that walks you through all kinds of pieces here. The askjan.org. And you know -- where is that one?

>> MONA KILANY: I think, Curtis, we have some of the full links to some of the

other papers you have been referring to also, so we can make sure that the full links to some of the other publications are available when we post the recording to this.

>> CURTIS RICHARDS: Right, that's what I was trying to say. So the askjan.org has the EAP paper. It's an article. Then the Cornell paper I think is at the very end of the stuff I sent you.

>> MONA KILANY: Okay. Great. We do have that.

As folks go ahead and type in any additional questions that you might have, Curtis, I want to ask you what is the state's overall role as it relates to accommodations? From the perspective, I think, of a RETAIN state team.

>> CURTIS RICHARDS: So I think that the return-to-work coordinator who serves largely as I want to say an advocat for the individual to try to help try to get them back into the workplace would be kind of the go-between or the facilitator of -- between the employer and the employee. You know, when you say the state role, that could be anything from, you know, having to help purchase stuff to, you know, what does the individual person do. So I don't know if that's particularly helpful.

>> MONA KILANY: Yes, that is helpful. I think it is helpful.

>> CURTIS RICHARDS: I mean, if you think about what I said earlier about part advocate and part bureaucrat, you know, I really think that that fits here for what these return-to-work coordinators or stay-at-work coordinators are all about. Right? They need to understand, empathize, get to know the injured worker, what's out there for

him or her, be able to, you know, make sense of that for the injured worker, and then be able to help make the case with the employer. So you've got to understand the bureaucracy of the employee or of the employer, I mean.

>> MONA KILANY: Absolutely.

So is an injured worker considered a person with a disability?

>> CURTIS RICHARDS: So under the Americans with Disabilities Act, an injured worker would not be considered a person with a disability and have the rights and privileges under the ADA unless the person met the definition of disability under the ADA. So if you are talking about a broken leg, right, that may be a temporary disability but wouldn't necessarily be covered under the ADA. To be covered by the ADA, you know, you have to have a physical -- and this is pretty key -- you have to have a physical or mental impairment that substantially limits one or more major life activity. Or you have to have a history of such, or you have to be regarded as having a disability. There are, under the Amendments to the ADA that were made a few years back, there are some specific conditions that are, you know, now considered as well. But the issue to determine whether you meet the definition of a disability under the ADA really comes down to how substantial is the limitation, and you know, is this something that, you know, is just temporary or is going to be ongoing and, you know, you are going to have significant issues.

>> MONA KILANY: Okay. Thanks for that clarification.

So another question is is there a way that states can educate or support employers in their understanding of accommodations or especially reasonable accommodations?

>> CURTIS RICHARDS: So, you know, there are. And you know, it can range anything from the state Vocational Rehabilitation agency helping them work with employers to help them understand these issues. That's a natural go-to for helping dig into accommodation issues, what's considered reasonable. I know, for example, the State of California had a whole unit that was dedicated to helping employers with this regard. The state, whichever agency it's going to be that's taking the lead here, getting to know the disability business Technical Assistance Center in the region is another, helping them get connected to the employer. There also are -- I forget, they just changed their name, but there's a network of employers that come together locally, regionally, and nationally, used to be called the Business Leadership Network, and I am sorry, I am aging myself, but they've just in the last year changed their name. I don't recall what it is. But if you Google disability leadership network, you will find it. So again, you've got peer to peer talking with each other. They will also understand these issues and oftentimes can be the better place to bring in, you know, because employers listen to other employers. Like-minded people; right?

>> MONA KILANY: Uh-huh. Absolutely.

Okay. So just a reminder to ask your questions. In the meantime, Curtis, what

kind of information can the states give out to injured workers to help them learn about asking about reasonable accommodations?

>> CURTIS RICHARDS: You know, a lot of places already have like a list of resources. You know, again, the disability business Technical Assistance Centers would have, you know, a list in their area. Vocational rehab folks would have a list in their area. The Independent Living Centers would have a list that they could share. {OOPS/} The university Centers on excellence in disability. There are also a couple of national Technical Assistance Centers, you know, again, I can't plug JAN enough here, since they are ODEP funded; right? But there are also other centers. There's a center up at the University of Connecticut that deals with disability issues. You know, there's a center at San Diego State that deals with these issues and has -- I am sure is leveraging a lot of those resources as part of this project. So it really just -- you know, and again, if you go to a self-advocacy organization or you find, you know, like the California Council for the Blind or, you know, the Connecticut Association for the Deaf, you know, they, too, would have a list of resources that could be shared.

What gets tricky is being able to go to a technology center, a central place that has various kinds of technology. You know, because there are so many developers and marketers and, you know, so for example, you know, the CCTV -- or the ZoomText that I mentioned here; right? There's another piece of software called the Kurzweil, Kurzweil 1000 and 3000. That is pretty amazing stuff that also reads out loud, and it's primarily

aimed at helping people with learning disabilities. It started out helping people who were blind, but it evolved into helping people with learning disabilities, so it actually has a drop-down menu and you misspell a word, what the word might be. Or it highlights issues and, you know, allows the person to, you know, figure it out.

There are a couple of places, like the Defense Department or in the Department of Education here in DC, that have centers where they have various kinds of technology so that they are not pushing one particular piece of technology. You know, and again, you go to centers, service providers that, you know, that also oftentimes have stores, you know, where they are helping people get equipment. I think that answered your question.

>> MONA KILANY: That does answer my question. Thank you. I think you certainly got a wealth of information in this area.

One last question, and then we'll wrap it up. I wanted to see what you would suggest for ways that return-to-work coordinators can support an injured worker that maybe has an employer that is either hesitant or unwilling to provide accommodations. What can a return-to-work coordinator do to support that injured worker?

>> CURTIS RICHARDS: Yeah, it's difficult because if the employer's going to dig his or her heels in, you know, oftentimes there's not much that can be done. But you know, I would suggest, first of all, marshal your resources. Make a great case. And you know, if the employee has completely bought into what it is that he or she needs

and then the coordinator can help make a case about the person's experience, background, knowledge, need to, you know, if you are not going to do this, you are going to need to retrain somebody, you are going to hire somebody that's not going to know you. Right? So you have to think through the whole case. And then, you know, I also -- again, you can't stress enough the peer-to-peer. Find another employer who had a similar issue that could talk to the employer and hopefully soften them up.

>> MONA KILANY: Okay. Great. Yeah, those are some great suggestions.

So we have two minutes left, and I just -- if there are any final questions, feel free to put them into the Chat pod. You can also email your questions to retainTA@air.org, and we can send those questions to Curtis after the fact and get a response back to you.

If there are no additional questions, I want to direct everybody to the survey that Shoshana just posted in our Chat pod, the link to our evaluation for today's webinar. This gives us information about how you felt about today's webinar as well as gives us some suggestions for what else you might like to see as a future webinar or community of practice, podcast, and any other resources that we develop for you as your state moves ahead with implementation in Phase 1 and on to Phase 2.

So thank you to Curtis and to everybody for participating and attending today. If you have any additional questions about this topic, as I said, you can email RETAINta@air.org, or you can contact your state liaison for additional information.

Thank you again for joining us, and have a good afternoon.

(End of session, 2:00 p.m. CT.)

This text is being provided in a rough draft format. Communication Access Realtime Translation (CART) is provided in order to facilitate communication accessibility and may not be a totally verbatim record of the proceedings. This text, document, or file is not to be distributed or used in any way that may violate copyright law.

* * *