

Welcome



November 19, 2020

RETAIN

Retaining Employment and Talent
After Injury/Illness Network

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ODEP
Office of Disability
Employment Policy

Poll Question #1

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Webinar Quick Tips

- If you are having any trouble with GoToMeeting, use the chat box to request technical support or e-mail RETAINTA@air.org
- Submit questions at any time during the webinar in the chat box.

About RETAIN

- Retaining Employment and Talent After Injury/Illness Network (RETAIN)
- Joint initiative led by the U.S. Department of Labor (DOL), Office of Disability Employment Policy (ODEP), and funded by ODEP, DOL's Employment and Training Administration, and the Social Security Administration
- RETAIN technical assistance provider is funded by ODEP and is led by the American Institutes for Research
- Focused on building state capacity in stay-at-work (SAW)/return-to-work (RTW) strategies across eight states
- Explores ways to help people who become ill or injured during their working years remain in the labor force

Disclaimer

These materials were prepared for the U.S. Department of Labor (DOL), Office of Disability Employment Policy, and Retaining Employment and Talent After Injury/Illness Network (RETAIN) state grantees, by the American Institutes for Research and the presenting subject matter expert. The views expressed are those of the authors and should not be attributed to DOL, nor does mention of trade names, commercial products, or organizations imply endorsement of same by the U.S. Government. The information contained in this presentation is intended as general guidance. It does not constitute legal advice and is not binding. CDC and EEOC guidance regarding COVID-19 changes often, so checking specific guidance frequently is encouraged.

Enabling Work: Accommodations as an Essential Element of the Return-to-Work Process

November 19, 2020

Objectives

- Gain knowledge of JAN (Job Accommodation Network) Services
- Understand or enhance knowledge on the interactive accommodations process, including:
 - Use of the role-based Workplace Accommodation Toolkit within RETAIN
 - Key coordinator/navigator strategies related to this process and employer engagement
- Create solutions to SAW/RTW situations

Introductions



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Moderator

Poll Question #2

JAN

Job Accommodation Network

Practical Solutions • Workplace Success



Enabling Work: Accommodations as an Essential Element of the Return-to-Work Process

Anne Hirsh, MS, CPDM
JAN Associate Director

November 19, 2020

JAN as YOUR Resource

Overview

- Job Accommodation
- Americans with Disabilities Act / Rehabilitation Act
- Entrepreneurship
- 35 Years of Service
- Experienced
- Free
- National
- Easy to Use
- Employers
- Individuals
- Service Providers



JAN as YOUR Resource

JAN supports employers and rehabilitation professionals by providing:

- Consultation on workplace accommodation solutions
- Consultation on the ADAAA
- Coach customers on the interactive process
- Product information for technologies used as accommodations in the workplace



JAN as YOUR Resource



Ask JAN and we...

- Meet you where you are.
- Help meet timelines.
- Assist with the interactive process.
- Give targeted technical assistance.
- Provide comprehensive resources.
- Maintain confidentiality.
- Work as your partner to enable you to hire and retain talent.

Practical Solutions • Workplace Success

Employer Follow-up Study

Since 2004 a total of 3,369 employers surveyed.

Employers represent the total spectrum of industry sectors (e.g., manufacturing, service, wholesale/retail) and sizes (individual own to Fortune 500).

Of the employers who called JAN for accommodation information and solutions, most were doing so to retain or promote (83%) a current employee.

Research Findings

Finding #1: Most employers report no cost or low cost for accommodating employees with disabilities.

Results

- Over half of accommodations (56%) were made at no cost.
- Of the 39% who experienced a one-time cost to make an accommodation, the typical cost of accommodating an employee was \$500.
- Only 46 (4%) said the accommodation resulted in an ongoing, annual cost to the company and 9 (1%) said the accommodation required a combination of one-time and annual costs.

Research Findings

Finding #2: Employers report accommodations are effective.

Results

- Of those responding, 75% reported the accommodations were either very effective or extremely effective.



Finding #3: Employers experience multiple direct and indirect benefits after making accommodations.

Direct Benefits of Accommodation

- 90% Retained a valued employee
- 68% Increased employee's productivity
- 57% Increased employee's attendance

Indirect Benefits of Accommodation

- 57% Improved interactions with co-workers
- 55% Increased overall company morale
- 49% Increased overall company productivity

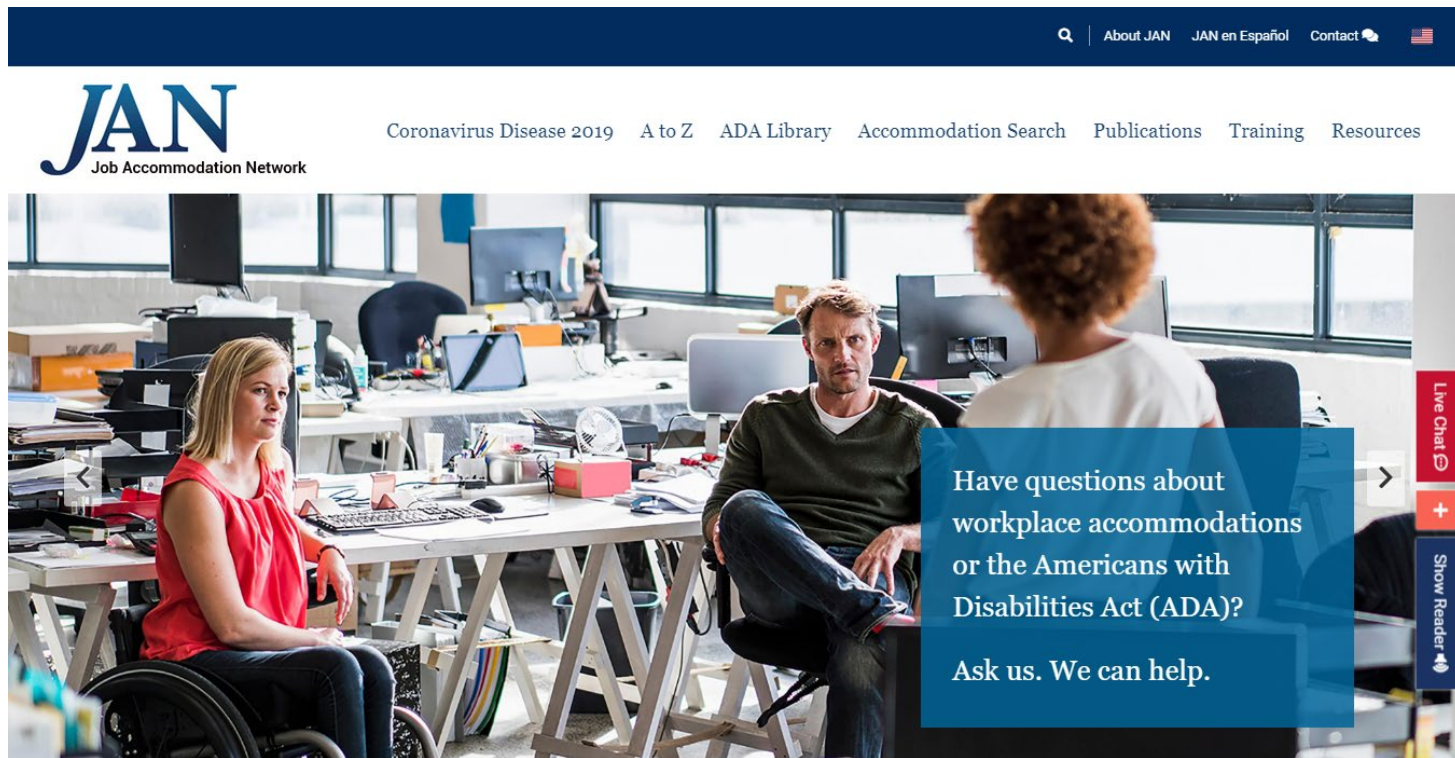
Research Findings

The study results consistently showed that the benefits employers receive from making workplace accommodations far outweigh the low cost.

<https://AskJAN.org/topics/costs.cfm>



JAN as YOUR Resource



Due to our response to COVID-19, we are asking that you use our chat, e-mail or Voice Mail contact methods to reach the JAN service. You can speak with us directly through chat and e-mail or request a call back through voice mail, chat or e-mail. For more details on these methods of connecting with the JAN service, see Contact Us.

JAN as YOUR Resource



FOR EMPLOYERS

FOR INDIVIDUALS

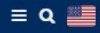
ADA LIBRARY

A TO Z LISTS

ACCOMMODATION SEARCH

PUBLICATIONS & ARTICLES

ABOUT JAN



A TO Z OF DISABILITIES AND ACCOMMODATIONS

[Home](#)

If you are looking for information on job accommodations, the Americans with Disabilities Act or Rehabilitation Act, or topics related to disability employment, see the listings below for various topics covered by JAN.

JAN provides the following A to Z listings by disability, topic, and limitation. This information is designed to help employers and individuals determine effective accommodations and comply with Title I of the Americans with Disabilities Act (ADA). You will find ADA information, accommodation ideas, and resources for additional information.

JAN's A to Z is a starting point in the accommodation process and may not address every situation. Accommodations should be made on a case by case basis, considering each employee's individual limitations and accommodation needs. Employers and individuals are encouraged to contact JAN to discuss specific situations in more detail. To get started, choose one to find what you are looking for.

- By Disability**
- By Limitation
- By Work-Related Function
- By Topic
- By Accommodation

By Disability - Find information on various disabilities, impairments, and conditions.

Q Filter Disabilities

Begin typing search phrase to filter results

Category:

- None -

Addison's Disease

Charcot-Marie-Tooth

Hearing Impairment

Personality Disorder

Aging

Chronic Fatigue Syndrome

Heart Condition

Phobias

Live Chat



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Building Your Inclusive Workplace

Introduction

JAN's Workplace Accommodation Toolkit is a free, comprehensive online resource for employers seeking to move beyond basic compliance with the Americans with Disabilities Act (ADA) in order to create more disability-inclusive workplaces. The Toolkit provides guidance and resources for developing or updating accommodation policies and processes while leveraging the best proven practices available to date. The Toolkit contains actionable accommodation policies and processes from leading U.S. businesses, a suite of accommodation forms, training presentations, and role play videos modeling inclusive behaviors. The Toolkit also includes best and emerging practices for creating an inclusive workplace for people with disabilities during all phases of the employment life cycle. Within the Toolkit, one can find specific resource drawers for:

- Recruiters and Hiring Managers,
- Supervisors and Managers,
- Internal Reasonable Accommodation Subject Matter Experts (SME)/Consultants,
- Information Technology Team Members, and
- Employees with Disabilities and Their Allies.



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Tools for Supervisors and Managers

accommodation process, it is important for them to:

- Be disability aware and know the etiquette of disability,
- Recognize a request for an accommodation,
- Be familiar with company accommodation policies and processes particularly when it comes to the supervisor/managers responsibilities within this process, and
- Support human resources or the company's reasonable accommodation subject matter expert to implement and monitor accommodations.

This section of the Toolkit provides information and resources for supervisors and managers, including information about how to recognize a disclosure and request for accommodation, accommodations most frequently requested when retaining or returning an employee to the workplace, and more.

Accommodation Process for Employees



Productivity Standards



Accommodations for Retaining and Returning Employees Back to Work



Role Play Training Videos and Accompanying Presentations



Resources



Important to Note: Confidentiality



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Tools for Subject Matter Experts



INFORMATION
BY ROLE

ADA
LIBRARY

A TO Z
LISTS

ACCOMMODATION
SEARCH

PUBLICATIONS
& ARTICLES

ABOUT
JAN



Ensuring a robust interactive process in order to negotiate effective workplace accommodations for people with disabilities throughout the employee life cycle can feel daunting, but we are here to help make the complex simpler. The most important aspect is to have transparent, actionable policies and processes as well as effective training on these processes for all involved, but with a particular focus on supervisors and managers. In organizations that are getting ready to designate or hire a Reasonable Accommodation Subject Matter Expert (RA SME), it is helpful to have a solid job description. To start, we have three [sample job descriptions](#) that you can customize to meet your needs.

What To Do First



The Interactive Process



Types of Workplace Accommodations



Training Frontline Managers and Supervisors



Sample Forms and Policies



Role Play Training Videos and Accompanying Presentations



Sample Accommodation Program Metrics



Using Third Party Vendors to Process Accommodation Requests



Building on a Strong Foundation, Best and Emerging Practices



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Role of SAW/RTW Coordinator/Navigator

- Foremost, bring rationality and coherence to the process
- Ensure continuous engagement with the employee
- Serve to overcome workplace fears:
 - Reluctance to have someone who is not 100%
 - Fear of re-injury
 - Co-worker negativity for injured worker performing partial duty
- Ultimately, bind the medical professionals and the workplace so that injured or ill employees do not fall through the gap



Framing SAW/RTW Process From Outset

- Focus on what the person can do as opposed to what they can't do
- Promote the idea that work is good for health
- Promote the SAW/RTW process as one of disrupting disability



Your Main Opportunities as a RETAIN Coordinator

- Understand each stakeholder's perspectives and concerns.
- Persuasively engage all of them (worker, treating clinician, employer) as you drive the situation toward an optimal solution, given the particular circumstances.



Coordinator's #1 strategy to shorten periods of work disability:

Promptly arrange for worker to recover while working.

- Identify and arrange **temporary** adjustments to work that reduce demands on the affected body part or system while it recovers. (NOTE: This often means eliminating essential functions and reducing productivity requirements for a specified period of time.)
- Assist worker in negotiating reasonable accommodations during recovery and indefinitely that preserve essential functions and productivity expectations.



OFFICE OF DISABILITY EMPLOYMENT POLICY
UNITED STATES DEPARTMENT OF LABOR

Office of Disability
Employment Policy

Coordinator's #2 strategy to shorten periods of work disability:

Promptly recognize situations in which the worker is unlikely to return to usual employer or trade, and proactively intervene.

- A. When recovery will be prolonged, the functional outcome is still uncertain, and employer can not or will not provide work during recovery:
1. Rapidly refer/arrange for assistance in finding temporary work, a new permanent job, retraining, or all the above in any sequence.
 2. If necessary, and when appropriate, guide worker in negotiating accommodations with the new employer that preserve essential functions and productivity expectations.



More on #2 strategy:

- B. When an irrevocable loss of capability (impairment) has occurred:
1. Guide disabled worker in negotiating accommodations with usual employer that preserve essential functions and productivity expectations.
 2. If the employer cannot or will not provide reasonable accommodations, rapidly refer/arrange for delivery of rehabilitation or employment services, either job hunting, retraining, or both.



A Key Part of the Solution: The Interactive Accommodation Process

According to the American College of Occupational and Environmental Medicine:

“If permanent or long-term alteration of work capacity occurs, the ADA “reasonable accommodation” process might be triggered. It operates in parallel with SAW/RTW. If ADA applies, it will heavily influence what occurs in SAW/RTW.”



OFFICE OF DISABILITY EMPLOYMENT POLICY
UNITED STATES DEPARTMENT OF LABOR

Four Points of Engagement

1. Temporary Adjustments/Transitional-Duty RTW
2. Accommodations for Current Position
3. Accommodations for Reassigned Position
4. Separation



QUESTIONS?

Case Studies

Practical Solutions • Workplace Success

Situation

A 27-year-old male witnessed a traumatic incident where one of his coworkers was severely injured when a piece of machinery malfunctioned. He was the first one on the scene and had to assist his colleague until the first responders arrived.

He experiences severe anxiety around returning to work, especially since he works on the same machine that malfunctioned.

How can we help him get back to work with confidence?

Solutions

- Talk with employee to identify concerns/triggers and what will specifically help to reduce anxiety
- Provide information about the repair of the machinery and on how continued safety will be monitored
- Change the orientation, redesign, or relocate the employee's workstation
- Provide flexible breaks as the worksite allows when the employee feels anxiety increasing
- Provide backup coverage for when the employee needs to take breaks

Solutions

- Restructure his job to include only essential functions during times of heightened stress
- Assign a mentor to check in with the employee
- Put a plan of action in place in case of anxiety/panic attack
- Allow the use of apps for stress and anxiety and music if not a safety concern
- Provide an opportunity for a reassignment (if possible and if desired) to another area with alternate machinery

Situation

A 48-year-old female injures her lower back while trying to move furniture at home while cleaning.

She is a nursing assistant working in a skilled nursing facility. In addition to her lower back injury her comorbidities include obesity, hypertension, and type II diabetes

What can we consider as an accommodation?

Solution

Job Restructuring

- Lifting techniques
 - [Patient lifts](#)
 - [Transfer Aids](#)
 - Team lifting
- Task reallocation
- Patient safety — are the patients able to assist with transfer?
- Gradually return increasing hours every week or two

Reassignment

- Temporary Accommodation
- Unit transfer
- “Rules” for reassignment



Situation

A 30-year-old male injures his back in a motorcycle accident shortly before his scheduled discharge from the military.

He was active military and recently honorably discharged and looking for work in telecommunications or IT.

How can we help him interview with confidence?

Solution

Disclosure During an Interview?

- Ask about work location
- Be prepared to disclose and know the rules

Equipment Considerations

- Low Task Chair for Working on Computers/Server Equipment
- Compact Material Handler for Transport/Carrying Equipment
- Adjustable Workstations and Supine Workstations
- Ergonomic Chairs

Proper Lifting and Carrying Techniques



Poll Question #1- Results

Situation

A 53-year-old female contracted and is currently recovering from COVID-19. She works in a hotel as a housekeeper.

Her post-acute COVID-19 symptoms include fatigue and chest pain.

What accommodation can we consider to enable her to work safely and effectively?

Solution

Job Restructuring

- Limit work area to walkable distance
- Modified break schedule – more frequent, shorter
- Eliminate non-essential job functions
- Work in teams

Equipment Considerations

- [Lightweight/spring bottom cleaning carts](#)
- Handle adaptors and telescoping handles
- Portable lightweight vacuum

Proper Lifting and Carrying Techniques

[Accommodations for Housekeeping Janitorial Workers with Industrial Injuries](#)

Situation

A 22-year-old male was trying to build his own piece of furniture using a table saw he borrowed from a local community college where he was taking a class. He was not experienced with using the equipment and sawed his left thumb and two fingers on his left hand.

He had orthopedic surgery to reattach his thumb and fingers. His pointer finger on his left hand could not be saved, but his thumb and middle finger were successfully reattached.

What accommodation can we consider to enable him to work safely and effectively?

Situation

He is a waiter at a restaurant. He started taking a community college class as he is looking into becoming an interior designer, yet he needs to keep a full-time job.

Will he need accommodation to continue as a waiter?

What accommodation might he need to consider for a career in interior design?

Solution

For Serving

- Various [grip aides](#)
- Modified gloves

For Interior Design

- Alternative Computer Input
 - [Speech recognition](#) and [alternative keyboards](#)
 - [Alternative mice](#)
- [Tool Balancers](#)
- [Ergonomic and pneumatic tools](#)



[State Assistive Technology Projects for Equipment Loan/Trial](#)

Situation

A 53-year-old man who has worked in landscaping for 20+ years injures his back on the job while planting trees and shrubs. He wants to remain in landscaping but is worried the employer won't accommodate until he is 100% healed.

He is also worried about what will happen if the injury doesn't get better enough to return to landscaping full time.

What accommodations might we consider?

Solution

Equipment Considerations

- Lifting devices
- Powered wheelbarrow and carts
- Stand-up weeding tools
- Ergonomic shovels and tools
- AgrAbility [Assistive Technology Toolbox](#)



Proper Lifting and Carrying Techniques

Job Restructure

- Remove marginal functions
- Return part time and increase hours over time

Explore Other Duties

- 20+ years of knowledge?
- Design, sales, interest, and skill?

JAN Consultants can be reached M-F 9am-6pm ET by

- Phone – (800) 526-7234 voice; (877) 781-9403 TTY
 - Leave detailed message with best time for a return call
- Email - jan@AskJAN.org
- JANonDemand - <https://askjan.org/JANonDemand.cfm>
- Chat available online at <http://AskJAN.org>
- Skype - Janconsultants
- Text – (304) 216-8189
- Website - <http://AskJAN.org>



QUESTIONS?

Upcoming RETAIN TA Events

RETAIN Solutions 2020: RTW Coordinator Edition

- Tuesday, December 1, 2020
- 3–4 p.m. ET; 2–3 p.m. CT;
12–1 p.m. PT

Save the Date:

Part 2, Accommodations and Transitional Employment Webinar

- Thursday, December 10, 2020

Your feedback is important!

Please take 2 minutes to complete the following survey:

https://www.surveymonkey.com/r/JAN_11-19-2020

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