



Transforming  
Lives

# Ongoing Assessment of Reasonable Accommodation

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*Lead to ensure consistent, equitable and readily available customer service that enriches the employee's DSHS experience throughout their employee lifecycle.*

# Training Overview Objectives

- Employers' Responsibility
- Purpose for Ongoing Assessment
- When Should an Employer Reassess a Reasonable Accommodation?
- Temporary Accommodations
- Trial Accommodations
- Time Limited Accommodations



- Employee's Medical Condition Changes
- Business Needs Change
- Long-Term Accommodations
- Protections Under Different Laws End
- Employers Should **Not**...

# Employers' Responsibility

- **Engage in an interactive process** with the employee. We may need additional medical documentation to determine the employee's specific accommodation needs.
- **Decide** what accommodations are put in place.
- **Develop a plan** to implement the accommodations, which may include any needed training.



# Employers' Responsibility

- **Follow-up** to determine if the accommodation is effective and continues to work for everyone.
- Revisit the interactive process **if the accommodation is not effective** and/or does not work for everyone.
- **Document** the RA process.



# Purpose for Ongoing Assessment

- **Proactively supports** individuals with disabilities in the workplace.
- Determine if the accommodation provided is, or continues to be, **effective**.
- **Adjust** the accommodation if needed.
- Determine if there is still a **need** for the provided accommodation.



# When Should An Employer Reassess a Reasonable Accommodation?

- Temporary Accommodation
- Trial Accommodation
- Time Limited Accommodation
- Employee's Medical Condition Changes
- Business Needs Change
- Long-Term Accommodations
- Protections Under Different Laws End







# Temporary Accommodations

Situations that may warrant the provision of a **temporary** accommodation **include, but are not limited to:**

- When time is needed **while waiting for** medical information, to research a permanent accommodation solution, to acquire equipment, arrange a service or to identify an alternative vacancy.
- When the medical impairment is temporary but sufficiently severe enough where there is **no predictable end date**.
- When it is necessary to **avoid temporary adverse conditions** in the work environment.
- When an accommodation can be currently provided but it **may eventually pose an undue hardship** if it's provided long-term.

Please work with  
your RA Specialist  
during the  
accommodation

# Trial Accommodations

Implementing trial accommodations can benefit **both the employee and employer!**

- It offers the opportunity to evaluate an accommodation for effectiveness **before** making the decision to **implement the change long-term**.
- Can demonstrate **objective information** that the accommodation was not successful in removing the workplace barrier.





# Time Limited Accommodations

- If the duration for the accommodation is not included, a simple note from a health care provider may be useful to ask whether the accommodation is needed **temporarily, long-term or permanently**.
- If the need for the accommodation is temporary, document **when** the accommodation **will end** and/or **be re-evaluated**.
- If the duration of the approved accommodation expires and the employee still needs the accommodation, **updated medical may be needed**.



# Employee's Medical Condition Changes

- The obligation to provide Reasonable Accommodation is **ongoing and may arise anytime** there is a **change in the employee's medical condition**.
- Please encourage employees who have been accommodated to communicate changes or problems with an accommodation **to their supervisor and their assigned Reasonable Accommodation Specialist**.



# Employee's Medical Condition Changes

- If the accommodation is no longer working, please revisit the interactive process with the employee.
- Your Reasonable Accommodation Specialist may need to seek updated medical certification.
- **Document the change, why** the accommodation provided is no longer effective (reason for the re-assessment), and **any new accommodations** identified.



# Business Needs Change

- The obligation to provide Reasonable Accommodation is **ongoing and may arise anytime** there is a **change to the job**.
- Our way of doing business **changes over time**. A business change **includes (but is not limited to)** new technologies, new processes, reorganizations, travel requirements, work environment, etc.



# Business Needs Change

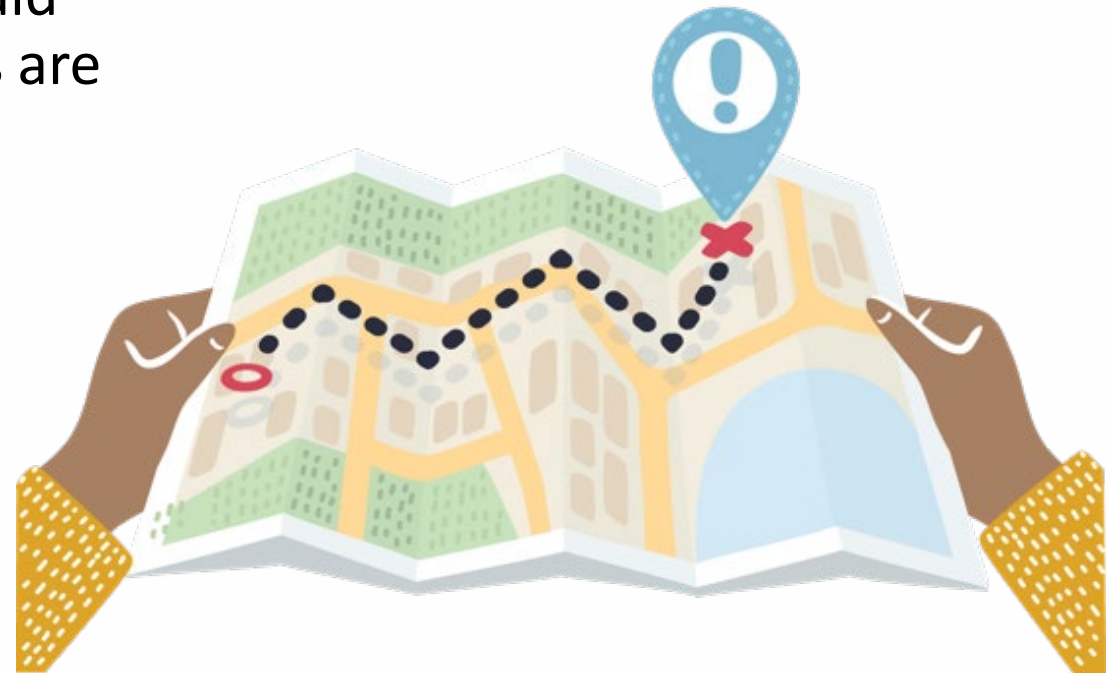
- If the accommodation is no longer working, please revisit the interactive process with the employee.
- **Document the change, why** the accommodation provided is no longer effective (reason for the re-assessment), and **any new accommodations** identified.
- Reasonable Accommodations for those who resume in-office functions after office reopens after COVID-19.



# Long-Term Accommodations

The interactive accommodation process should be **ongoing**. The employer and the employee should **follow-up** to determine if the accommodations are working and make adjustments as needed.

- Provide **upgrades** to technology as needed.
- **Replace** broken or worn-out furniture or equipment.





# Protections Under Different Laws End

- The Health Emergency Labor Standards Act (HELSA), [SB 5115](#), was signed into law on May 11, 2021.
- HELSA provides employee protections during a “public health emergency” issued by the governor, or as declared by the President of the United States.
- Protective Leave ends and the employee requires continued leave (FMLA/PFML).



# Employers Should Not...

- Ask employees to **recertify the need for long-term accommodation** by providing updated medical information (e.g., every few months or annually).
- **Continually question** the employee about their need for the accommodation provided. This may be perceived as harassment.
- **Make the employee responsible** for ensuring the accommodation is effective and working.



# Have Questions? Get Answers!

