Reasonable Accommodations During COVID-19

This fact sheet answers:

• Does the ADA Protect Me During COVID-19?
• What Accommodations Can I Ask for During COVID-19?
• How do I Ask for a Reasonable Accommodation?
• And More
What Is the Americans with Disabilities Act (ADA)?
The Americans with Disabilities Act (ADA) is the federal anti-discrimination law that protects the rights of employees with disabilities.

The ADA makes employers provide reasonable accommodations to employees with known disabilities, unless the accommodation would pose an undue hardship. This is true during the COVID-19 Pandemic.

Does the ADA Protect Me During COVID-19?
Do you have a disability that makes it more dangerous for you to get COVID-19?
If so, you are protected by the ADA.

Do you have COVID-19?
We are not sure yet if the ADA will apply. It may protect you if COVID-19 causes you to have substantial limitations in a major life activity. It most likely will not protect you if you experience only minor symptoms.

What is a Reasonable Accommodation?
A reasonable accommodation is any change to your workplace or the way your work is usually done.

What Accommodations Can I Ask for During COVID-19?
Some examples of accommodations you can ask for are:
- Personal protective equipment.
- Temporary leave.
- Work from home.
- Changing your job duties (removing non-essential job tasks) so you only need to do work that can be done from home or while social distancing.
Does My Employer Have to Give Me What I Ask For?

It depends. Here are a few things to keep in mind:

• Your employer only needs to give you an accommodation if there is a link between your disability and a need for an accommodation.

• Your employer has to give you an accommodation that fixes the problem. It does not have to be the same thing you ask for as long as the problem is fixed.

• Your employer does not have to give you an accommodation that would be an “undue hardship.” In other words, things that are very difficult or very expensive.

• Your employer does not need to take away any tasks or duties that are essential to your job.

How Do I Ask For an Accommodation?

Tell your supervisor and/or HR department that you need a change in work due to your disability.

Make your request in writing and use the phrase: “I am requesting a reasonable accommodation under the ADA.”

What Should I Expect After I Request a Reasonable Accommodation?

Your employer should start the “interactive process” to decide what accommodation will work. Your employer may:

• Ask for limited medical documentation.

• Ask for more information about your disability and request.
Where can I learn more about ADA protections during COVID-19?

Please see Equip for Equality’s Employment Rights Helpline Fact Sheets about Reasonable Accommodations:

- Requesting a Reasonable Accommodation with a Template Letter
- Requesting Telework
- Requesting Job Restructuring

The Equal Employment Opportunity Commission (EEOC) also has many good links to read:

- EEOC Pandemic Preparedness in the Workplace and the ADA (updated in response to COVID-19 Pandemic)
- What You Should Know About the ADA, the Rehabilitation Act, and COVID-19
- COVID-19: Ask the EEOC Webinar