

# Getting Support at Work under the Americans with Disabilities Act (ADA)

## How School and Work Are Different

Whether you begin a part-time job or paid internship as a high school student with a disability or are thinking about life after K-12, you will notice that support at school and work looks different. At school, you might have an IEP or 504 Plan that details your accommodations and other changes you need to be successful. You should be partnering with the school and your family to create and modify those plans, but sometimes, the process might feel driven by everyone else.



Your IEP or 504 Plan doesn't come with you to work, but the things you learned from it about yourself can be helpful when you request support from your employer – whether it's for your first part-time job during school or your bigger dream. You will be stepping into more of a leadership role with advocating for your needs at work, too.

You have employment rights under state and federal law, including the Americans with Disabilities Act (ADA) if your employer has 15 or more employees or is an employment agency or labor organization. Let's review a few common questions that you might have about work and the ADA.

## My school says I have a disability; do I automatically qualify for accommodations at work?

Under the ADA, you are a person with a disability if you have a physical or mental impairment that substantially limits one or more major life activities (e.g., hearing, seeing, learning, speaking, communicating, bending, different functioning of a major bodily system, walking, breathing). You can also qualify for accommodation if you have a record of having a disability. Under either definition, you also must be able to do the essential functions (core tasks) of the job you are seeking or the one you have, with or without a “reasonable accommodation,” which we define below.

## Do I have to tell my potential or current employer about my disability?

The ADA limits the kinds of questions an employer can require you to answer before you receive an offer, so in most cases, you are not required to disclose your disability. However, you also do not want to go through a job interview, for example, without the support you deserve. You will not want your job performance after being hired to suffer, either. Deciding when and how to share disability information is something for you to determine. Great resources exist, such as the Job Accommodation Network’s page about disability disclosure. *Available at* <https://askjan.org/topics/Disability-Disclosure.cfm>. Some of the best advice can come from others with your disability who might be further along in their careers.

## What if I don’t know what I’ll need to be successful in a job?

It is okay to not know what you will need at a job. Disability is an interaction with the environment. People with and without disabilities have fears about the unknown, such as new coworkers, commuting needs, and work hours, and everyone can also doubt their skills and abilities. Think about what has worked well for you in other settings. Learn as much as you can from the job interview and research to identify questions you have and understand what the day-to-day tasks are. Look at the job description and highlight areas for yourself where you need more information or you have needed support in the past.



## What's a reasonable accommodation?

A reasonable accommodation is any change or adjustment to the job, work environment, or how things are usually done that will allow you to apply for, perform the job successfully, and/or enjoy the same workplace benefits as non-disabled people at your place of employment. There is no standard list of reasonable accommodations for particular disabilities that work for everyone at work, just like there wasn't at school. Some examples of accommodations are physical accessibility (e.g., accessible parking, elevators, ramps, grab bars), sign language interpreters, assistive technology, quieter workspaces, materials in accessible formats, job restructuring, leave, modified work schedules, reassignment to a vacant position, welcoming of service animals, equipment changes, and assignment checklists.

Everyone asks what makes an accommodation "unreasonable." An accommodation isn't reasonable if it is an "undue hardship" to your employer. Courts have focused on whether an accommodation is significantly difficult, disruptive, or expensive and/or if it changes the nature of the job or business itself. What's reasonable is a case-by-case question.

## Who leads the accommodation process?

You can ask for a reasonable accommodation anytime during the application process or while you are working. Ask for one when you know that something at work disability-related is keeping you from doing your best or having equal access to a benefit of employment.

You don't have to use a special form or language to request a reasonable accommodation, but you must let your employer know that you are asking for an adjustment or change at work because of a medical condition. A family member, friend, medical provider, or someone else can request one for you, but you, as the person with a disability, are the one to decide if that's what you want.

You don't need to know exactly what would help with or solve the issue. You just need to outline what problems the workplace barrier poses. If you have suggestions about what might help, that's great. Your employer might have ideas, too.

Once you ask for the accommodation, you have started an informal, interactive process with your employer. The employer might ask for more information about the medical concern. They

might request documentation from a relevant medical professional. However, your employer can't ask you for documentation if the disability and the need for reasonable accommodation are obvious or if you have already provided them with enough information to show you have a disability under the ADA and need reasonable accommodation.

## What if I ask for something but my employer offers something else, instead?

As part of the interactive process, you should work with your employer to identify some potential solutions. While your employer should honor your preference for an accommodation if more than one accommodation idea would work, your employer gets to choose from different reasonable accommodation options as long as the accommodation is effective.

You don't have to accept an accommodation if you don't want one. However, you still need to be able to perform the essential functions of your job and not pose a safety threat to yourself or others if you refuse one.

## What if I received a reasonable accommodation but I'm still struggling?

Not all accommodations will work well. Make sure the interactive process keeps going. If you are struggling, do not wait long to have a conversation with your supervisor or human resources about what you could try next. Again, consider how others with similar life experiences have gotten support at work. Rely on their wisdom. Reach out to great resources such as the Job Accommodation Network and Northwest ADA Center for ideas.



## Resources

- ADA.gov: A Guide for People with Disabilities Seeking Employment: <https://www.ada.gov/resources/employment-seeking-guide/>
- AskJAN (Job Accommodation Network): <https://askjan.org>
- Campaign for Disability Employment: <https://www.whatcanyoudocampaign.org>
- Center for Advancing Policy on Employment of Youth: <https://capeyouth.org/for-youth-families/>
- Washington-specific efforts: <https://capeyouth.org/scans/washington/#programs>
- Center for Change in Transition Services (Seattle University): <https://www.seattleu.edu/ccts/resources/postsecondary-options/employment/>
- Disabled and Here Project (source of image in this guide): <https://affecttheverb.com/gallery/disabledandhere/tabletdrawing/>
- Governor’s Committee on Disability Issues and Employment: <https://esd.wa.gov/GCDE/resources>
- NW ADA Center: <https://nwadacenter.org>
- Social Security Administration Ticket to Work: <https://choosework.ssa.gov>
- U.S. Equal Employment Opportunity Commission Disability-Related Resources: <https://www.eeoc.gov/eeoc-disability-related-resources>
- U.S. Department of Labor, Office of Disability Employment Policy: <https://www.dol.gov/agencies/odep/program-areas/individuals/youth>