

FACTS ABOUT REASONABLE ACCOMMODATIONS

Definition: Reasonable accommodations are designed to help adjust to employees who have special needs arising out of pregnancy or illness (avoiding heavy lifting, staying off ladders).

What are the costs of implementing reasonable accommodations?

Over 1,000 employers in a Job Accommodations Study reported that a high percentage (59%) of accommodations cost absolutely nothing, while the rest typically cost only \$500 (Loy, 2017). Examples of accommodations include no heavy lifting or climbing on ladders, creating alternative assignments or modifications that enable an employee to perform her job. It is important to note that most states have laws that require employers to make reasonable accommodations for medical conditions.

What are the benefits of implementing reasonable accommodations?

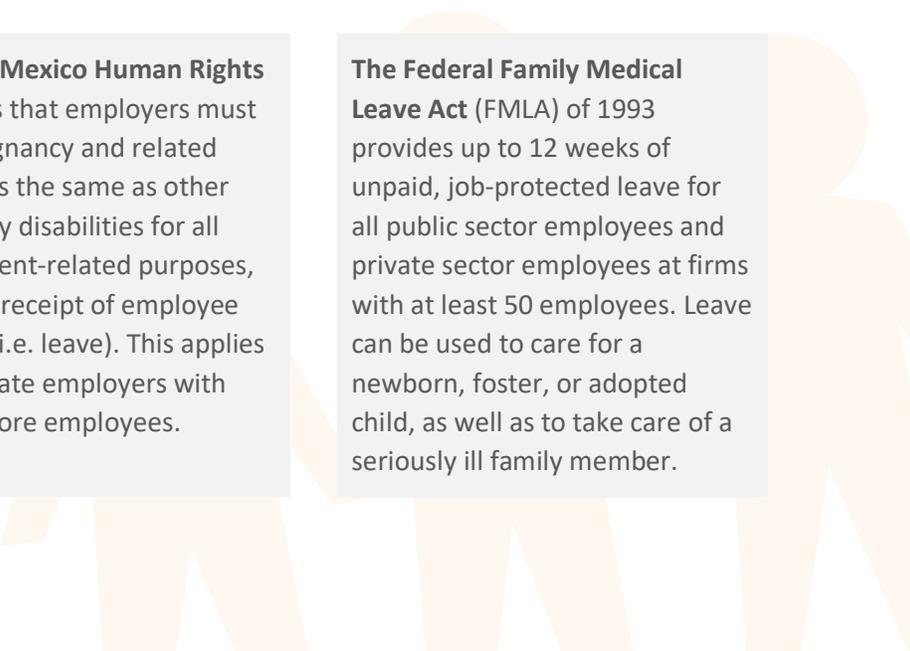
Study results consistently showed that the benefits employers receive from making workplace accommodations far outweigh the low cost. Employers reported that providing accommodations resulted in benefits such as retaining valuable employees, improving productivity and morale, reducing workers' compensation and training costs, and improving company diversity. These benefits were obtained with little investment (Loy, 2017).

What is the law?

The Americans with Disabilities Act (ADA) requires many employers to provide reasonable accommodations for employees with disabilities.

The New Mexico Human Rights Act states that employers must treat pregnancy and related conditions the same as other temporary disabilities for all employment-related purposes, including receipt of employee benefits (i.e. leave). This applies to all private employers with four or more employees.

The Federal Family Medical Leave Act (FMLA) of 1993 provides up to 12 weeks of unpaid, job-protected leave for all public sector employees and private sector employees at firms with at least 50 employees. Leave can be used to care for a newborn, foster, or adopted child, as well as to take care of a seriously ill family member.



What do businesses need to do to make it work?

- Obtain a sample policy;
- Determine financial commitment and policy options;
- Gather input from staff;
- Determine which workers have access to which options;
- Tailor policy to meet your needs; and
- Train employees and make new policy and benefits available to employees.

Sample Reasonable Accommodations Policies

Reasonable Accommodations for Pregnant Workers by state:

<http://www.nationalpartnership.org/research-library/workplace-fairness/pregnancy-discrimination/reasonable-accommodations-for-pregnant-workers-state-laws.pdf>

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