



## ADA Policy Guide Series #3

### The Interactive Process for Reasonable Accommodation

#### What is the Interactive Process?

The interactive process involves collaborative communication between the Agency's representatives and the employee or applicant to determine if and how accommodations may be made to:

- enable an employee to perform the essential job duties of the position; or
- assist an applicant to fully participate in the recruitment and selection process.

#### When must the Interactive Process begin?

As soon as a need for accommodation becomes known, the Interactive Process must begin and may include a series of meetings, letters or emails, and telephone discussions. Denying an employee's request without providing a meaningful dialogue and an explanation of the decision does not satisfy the interactive requirements. To be interactive, the Agency and employee/applicant must communicate and exchange information relevant to the accommodation request.

#### What are the Steps of the Interactive Process?

1. **Document the request:** Verbal requests must be documented in writing to ensure efficient processing and tracking of requests. See [Employee Request for Job Accommodation Form](#). Provide a temporary or provisional accommodation while the Interactive Process continues.
2. **Current and accurate Employee Work Profile's job description highlighting the essential job duties and the job functional analysis** is critical to the Interactive Process. In partnership with the supervisor, identify the required physical, sensory, cognitive, and mental abilities required to perform the essential job duties as identified in the position's Employee Work Profile.
3. **Medical Documentation:** Employees may be observed or communicate that they are having trouble performing job duties due to a medical condition. Further inquiry may be needed from the employee's treating health care provider including but not limited to doctors (including psychiatrists), psychologists, nurses, physical therapists, occupational therapists, speech therapists, vocational rehabilitation specialists, and licensed mental health professionals. Upon receipt of the requested medical documentation, the agency should determine if the employee's medical condition is considered a disability under ADA. The employee's treating health care provider may make suggestions for specific accommodations. In some cases, the employee/applicant's need for accommodation is clear and may not require medical certification such as observable mobility limitations, pregnancy, visual or hearing impairment.
4. **Dialogue** with the employee upon receiving a request for accommodations and discuss their abilities, limitations imposed by the impairment, specific medical restrictions, and their requested accommodation(s). When considering options for accommodations, provide the

employee with the opportunity to discuss what works best for the individual's limitations and solicit their feedback on the accommodations proposed by the Agency.

5. **Document** a summary of all meetings and discussions regarding accommodation as well as all attempts to dialogue with the employee on requested accommodations. Note if an employee is unresponsive, withholds essential information and/or declines to participate in the interactive process. Formally notify an unresponsive employee in writing prior to closing the Interactive Process.
6. **Analysis of Reasonable Accommodations** must consider if the accommodation will allow the employee to perform the essential functions of the job. Elimination of essential job functions should not be considered. Instead, provide a reasonable and effective accommodation that enables the employee to perform essential job functions. Reassignments may be a reasonable accommodation or remote work may serve as an accommodation if the position's duties can be effectively performed remotely.
7. **Identify and Implement Reasonable Accommodations:** The Agency is not obligated to provide a requested accommodation and may offer other accommodations if the chosen accommodation is effective and will not cause undue hardship to the Agency's business needs. Undue Hardship is defined as unduly costly, extensive, substantial, disruptive, or fundamentally altering the nature or operation of the Agency. The burden is on the Agency to prove undue hardship.
8. **Ongoing feedback and monitoring** is critically important in determining the effectiveness of the accommodation. Seek feedback from the employee and supervisor regarding performance and the impact of the accommodation. It may be necessary to discuss and consider changes to the accommodation(s) based upon changes to the position or the employee's medical condition.
9. **Formally confirm in writing to the employee and supervisor** the conclusion of the Interactive Process once an accommodation is determined to be effective.
10. **Periodically review and reassess** the effectiveness of accommodations and need for continued accommodation.