

## **Appendix F**

### **STANDARDS FOR ASSESSING REASONABLENESS AND UNDUE HARDSHIP**

#### **1) Key Reasonableness Questions**

- Will the accommodation help the employee perform the essential job functions?
- What is the likelihood that the accommodation will successfully address the difficulty?
- ~~AA~~What has worked here in the past for people with disabilities in similar situations?
- ~~A~~What has worked in the past for this specific employee in this or in previous jobs?
- ~~AA~~What are the recommendations of health care professionals?
- ~~A~~What is the preference of the employee?
- ~~AC~~Can it be implemented in a reasonable amount of time?

#### **2) Undue Hardship Considerations**

- ~~A~~The nature and net cost of the accommodation;
- ~~AA~~The type of the employer's operation, including composition and structure of workforce; (companies with vast diversity of job types are more likely to face undue hardships);
- The impact of the accommodation on the operation of the facility/program (such as the impact on the ability of other employees to perform their duties);
- The size of the organization), including:
  - number of employees,
  - number and type of facilities
  - size of budget or available assets(Smaller companies, with fewer employees and programs/facilities are more likely to face undue hardships with a proposed accommodation)

See also- <https://askjan.org/>

### 3) Undue Hardship and the young adult peer

- Accommodation costs are usually indirect:
  - YA peer supervisor providing additional supervision;
  - When a peer reduces weekly hours and takes leave, other roles on the team may need to be restructured.
- Direct financial costs are not common; they are usually payments for external training or support (e.g., class fees or job coaches) and for replacement staff when the peer takes a leave of absence;
- The YA peer provider can be difficult to replace because of the unique qualities and skills necessary for the role and the limited number of YA peers on staff. Thus “leave” for a YA peer is more likely to present undue hardship issues than for other employees, at least from an operational perspective.
- It is the company’s obligation to make every effort to cover the YA peer’s hours.