

Job-Driven Technical Assistance Center (JD-VRTAC)

The Reasonable Accommodation Process for Vocational Rehabilitation Counselors

Part 2

Presenters:

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Job-Driven Center Goals

Improve skills of state VR agency staff, other rehab professionals & providers of VR services, who are trained to provide “job-driven” VR services & supports to PWD, employers & customized training providers.

Four Topic Areas:

1. Business Engagement
2. Employer Supports
3. Labor Market Information (LMI)
4. Customized Training Providers

www.explorevr.org



Job-Driven Center Partners

Institute for Community Inclusion (ICI) at Univ. of Massachusetts,
Boston

In Partnership with:

- Jobs for the Future (JFF)
 - Univ. of Arkansas
 - Univ. of Washington
- Council of State Administrators of Vocational Rehabilitation (CSAVR)
 - United States Business Leadership Network (USBLN)
 - Association of University Centers on Disabilities (AUCD)

In Collaboration with:

- National Council of State Agencies for the Blind (NCSAB)



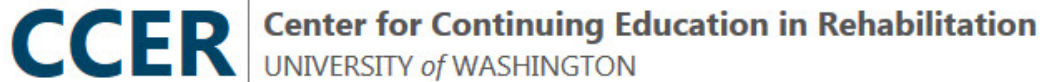
Objectives – Part 2 of Webinar Series

- Needs and wants of all the 'players': *employers, customers, VRCs*
- Strategies and Best Practices for Vocational Rehabilitation Counselors (VRCs)
- Questions
- Resources for Accommodations



University of Washington

Northwest Center



NWADAC Primary Purpose:

- Technical Assistance
- Training
- Material Dissemination
- Research
- Public Awareness



Disclaimer

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- The Northwest ADA Center is funded under a grant from the Administration for Community Living (ACL), NIDILRR grant. However, these contents do not necessarily represent the policy of the ACL, and you should not assume endorsement by the Federal Government



When an Applicant /Employee Needs Help?

Employees or potential employees may request accommodation at any time throughout the hiring or employment process.

Don't Ask, Won't Get!



Imagine

- Employee wants to keep a job.
- Applicant wants to get a job.
- Employer (i.e. supervisor/manager, HR, reasonable accommodation coordinator) wants the best and most trouble-free employee.
- And you want closure.

You can't always get what you want...

But the more you know, the better the odds.



POLL:

Employment Climate for PWDs

Think about your role as a state VR counselor around July, 1990 (ADA), January, 2009 (ADA AA) and March, 2014 (new Section 503 regulations).

- Based on your experience, is the overall employment rate for PWDs worse, about the same, or better?



POLL: Yes or No

Do all people with disabilities need accommodation(s)?



New York Times, 11/2/2015

Fake Cover Letters Expose Discrimination Against Disabled:

“Employers appear to discriminate against well-qualified job candidates who have a disability, researchers at Rutgers and Syracuse universities have concluded.”

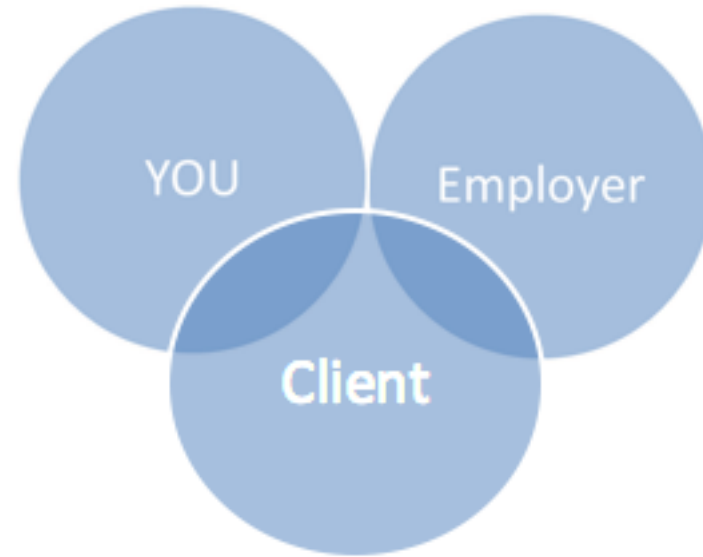


Common Denominator and Its Impact

- Service Animals
- Accessible Parking Placards
- Reasonable Accommodation



The 3 C's: Getting what YOU want



You and your clients are in the sales business, marketing human capital.



How do you foster positive relationships with employers even when it's the employer's obligation to provide reasonable accommodation?



What would be the benefit of providing assistive technology/equipment for applicants and/or employees of small employers?

Case examples:

- Rehabilitation Counselor as partner/advisor for vocational support and assistive technology guidance
- VA VR counselor as negotiator with employer
- Pie-splitting with VR Counselor, employer, and third-party training vendor



Best Practices: Employer/Business Resources Need

Employer/HR often have limited awareness of workplace external supports:

- Information about available accommodation supports by VR, CRPs, etc.
- Lack information about how to accommodate disability related requests.



Best Practices: Strategies for Working with the VR Customers

- ✓ Evaluate customer work skills, strengths, functional limitations related to their work performance



Best Practices: Strategies for Working with the VR Customers

- ✓ Prepare your customer how to make a reasonable request for work accommodations (i.e. information about ADA, range of accommodations options, disclosing disability, responsibilities, interactive process etc.)



Best Practices: Strategies for Working with the VR Customers

- ✓ Develop an accommodation plan – e.g.
 - Conduct a comprehensive adaptive skills and Assistive Technology assessments, CVES, job readiness.
 - Monitor the effectiveness of the accommodations: involvement (weekly or monthly) with your customer/employee supervisor



Best Practices: Strategies for Working with the VR Customers

- ✓ Work with your customer on how to involve their supervisor as part of the support team in the accommodation process



Best Practices: VRCs Strategies for the Workplace

- VRC' s Role - Advocate and Change Agent
- Focus on the Benefits! (i.e. contribution of the employee' s talent and skills to the business)
- Participate in employer outreach, strategically – e.g. Business Leadership Network, Chamber of Commerce
- Cultivate employer relationship and maintain previous successful employers connections or relationships



Best Practices: Employer Support

Employer Support is simply the
*“consultation and services provided by VR
in response to business’s needs to recruit,
hire, train, advance or retain employees with
disabilities.”*

Definition is derived from: ExploreVR.org



Best Practices: Employer Support Strategies for the VRC

- Pay attention to culture and values of employer and business
- Facilitate communications and offer support to the employer – be available (e.g. consultation, Technical Assistance, disability training)
- Focus on the talent - skills of the employee and the need for accommodations
- Introduce employer to other external resources that would mitigate concerns and offsetting any cost



Best Practices: VR Functions on Employer Support

Some examples of employer support functions that VR might address include, but aren't limited to:

- Sourcing qualified candidates with disabilities;
- Assisting with questions related to the U.S. Department of Labor, Office of Federal Contract Compliance Section 503 regulations;
- Providing disability etiquette and ADA training for hiring managers;
- Solving issues related to the accessibility of technology;
- Touring a business to gain an understanding of culture, perform job analysis, etc.



Best Practices: VR Functions on Employer Support

Some examples of employer support functions that VR might address include, but aren't limited to:

- Offering assistance and resources in obtaining ASL interpreter for a job interview;
- Delivering on-the-job assistance with a manager that has concerns about socially awkward behavior that a new employee is exhibiting; Providing assistance to human resources when a long-term employee's job performance begins to deteriorate;
- Assisting a hiring manager with providing accommodations to help with short-term memory loss with a new employee with a Traumatic Brain Injury;
- Assisting a new employee who's concerned about disclosure of her disability at her new job.



Case Study

VRC: I have a deaf customer that was denied ASL interpreter during the second round of her job interview. The employer provided her with an interpreter at the first interview but employer wanted to determine if she would be able to communicate using other methods such as an iPad with co-workers. So, when we showed up at the interview, an interpreter was not provided but the interview/testing went on.

Is this a legitimate action from the employer?

What should have happened?



Questions??



Presenters' Contact

Contact nearest ADA Center:

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Resources

ADA National Network – ADA Centers Hotline:

1-800-949-4232 or www.adata.org

Job Accommodation Network (JAN):

(800)526-7234 (Voice) (877)781-9403 (TTY); www.askjan.org

Equal Employment Opportunity Commission:

1-800-669-4000 (Voice) 1-844-234-5122 (ASL Video Phone)

Department of Labor- OFCCP Printed Reasonable Accommodation Pocket Cards: 800-397-6251;

<http://www.dol.gov/ofccp/posters/>

[ReasonableAccommodationPocketCard/index.htm](http://www.dol.gov/ofccp/posters/ReasonableAccommodationPocketCard/index.htm)

Department of Labor - Employment and Training Administration (ETA) or Office of Disability Employment Policy (ODEP): 1-877-US2-JOBS



Citations

Dong, S., Oire, S.N., MacDonald-Wilson, K.L., & Fabian, E.S. (2012). A Comparison of Perceptions of Factors in the Job Accommodation Process Among Employees With Disabilities, Employers, and Service Providers. *Rehabilitation Counseling Bulletin*, 56(3) 182-189.

Dong, S., MacDonald-Wilson, K.L., & Fabian, E. (2010). Development of the Reasonable Accommodations Factory Survey: Results and Implications. *Rehabilitation Counseling Bulletin*, 53(3), 153-162.

MacDonald-Wilson K.L., Fabian, E.S. & Dong, S. (2008). Best practices in developing reasonable accommodations in the workplace: Findings based on the research literature. *The Rehabilitation Professional*, 16(4), 221-232.

