

Accommodating Effectively & Economically; 508 & Reasonable Accommodations

Leave with No Rehab Act/ADA/Disability Question Left Unanswered!

Presented for...

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Welcome! This *interactive* training is designed to provide RTC attendees with the knowledge and inspiration necessary to ensure successful contacts, reasonable accommodations and recruitment of persons with disabilities. A summary of the Rehabilitation Act and the Americans with Disabilities Act will be presented in easy to use definitions with emphasis placed on reasonable accommodations. The training will feature true-life stories, attendee interaction and humorous visuals... And yes even dog tricks! The results will be; a productive stress-reducing day where team-members successes are increased and agency liabilities are reduced. Get ready to enjoy today and then the rest of your life! After all, it's the only life you have and now is the time to make the most of it!

REMEMBER...

IT'S CHEAPER TO ACCOMMODATE THAN TO LITIGATE!...



McIntyre
& Associates
Motivating & Educating

I. The Rehabilitation Act of 1973 and the (ADA). “The Basics”

1. The Rehabilitation Act of 1973 and the Americans with Disabilities Act Mission Statement



**“TO BOLDLY GO . . .
WHERE EVERYONE ELSE
HAS GONE BEFORE . . .”**

DEFINITION

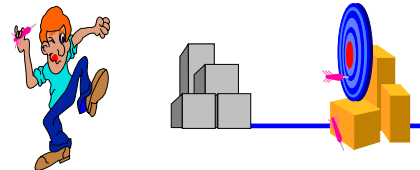
(The Rehab Act) and the (ADA) are federal laws that are similar in the fact that they both prohibit discrimination against persons with disabilities in employment, public services, public accommodations and telecommunications. They effect all business and government agencies that are Customer Service Oriented, as well as on employers in both the public and private sector.

2. An *Individual with a Disability* or (IWD)

1. Has a physical or mental impairment that substantially limits one or more major life activities
2. Has a record of having such an impairment
3. Or is regarded as having such an impairment

3. A **Qualified Individual with a Disability** or (QIWD). “*Stay on Target!*”

1. Meets the legitimate skill, experience, education or other requirements of a job (Basic Requirements)
For example; drivers license, degree, etc.
2. Can perform the essential functions of the job with or without a reasonable accommodation (Essential Job Functions) As listed in the job description
3. May or may not be able to perform “marginal” or “incidental” job functions.
An employer cannot enforce an employee to perform, “Other duties as assigned.”



4. **Reasonable Accommodation**

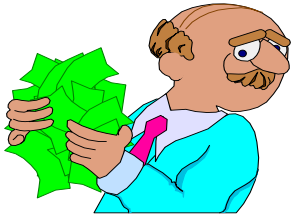
Any modification or adjustment
To a job or work environment
That will enable a QIWD to participate
In the job application process
Or to perform essential job functions

5. **Undue Hardship** is . . .

Simply stated...

**“ASSISTING A PERSON
WITH A DISABILITY TO
OVERCOME AN OBSTACLE...”**

1. An action requiring significant risk or expense
2. Established “**CASE BY CASE,**” judged on the basis of the accommodations relationship to the size, resources, nature & structure of the employers operation



An employer is not obligated to make an accommodation if it would impose an undue hardship, “Financial,” on the employers operation of business or a “Significant Threat” to any employee or client.

6. Addressing Requests for Assistance and/or Reasonable Accommodation

- Consider that oftentimes the person making the request knows what they need best
- Address person’s requests promptly and courteously
- Encourage suggestions from the person making the request
- Try to assist in the manner which the person had suggested
- Assure the person that it is okay to make such a request

7. Providing Reasonable Accommodations: Effective Techniques

- A. Involve the Employee with a Disability
 1. Ask him/her...
 - a. Is there anything we could provide that would assist you to do your job?
 - b. If yes, What Accommodation does he/she Desire?
 - c. What is the Best way to accomplish this Reasonable Accommodation?
- B. Make your own Inspection and Recommendations
 1. Discuss Your Ideas with the Employee with a Disability
 2. Use your Training Resources, your Co-Workers and Common Sense
- C. Involve the Employer, Let them know they are Involved in Every Decision
- D. If you are having difficulty Another Option is to Contact Professional Consultants
- E. In Review, Always...
 1. Consider the QIWD’s Request First
 2. Consider Cost, Effectiveness and the Employer’s Needs as well
 3. Consider Every Resource you have to make the Best Decision

8. Ensuring Successful Reasonable Accommodations and Maximum Effectiveness from every employee M&A recommends that once a month every supervisor ask their team members this question...

“Is there anything that we could do or provide you that would assist you to do your job?”

II. Section 508 of the Rehabilitation Act of 1973:

1. **Freedom Initiative of 1998: (See the attached 2-page handout)**
 - A. Purpose:
 1. Section 508 was enacted to eliminate barriers in information technology
 2. Agencies must give persons with disabilities equal public access to information

III. Leadership Skills; Attitude is Everything

Key to Success:

Always use...

(A.R.E.) . . . ATTITUDE, RESPECT & EQUALITY!

1. **(A.R.E.) Attitude, Respect and Equality.** Use this in Every part of Your Life
A.R.E. will...
 - A. Ensure you successful professional contacts and reduce liabilities
 - B. Make your business a better place to work and visit
 - C. Make you a problem solver by assisting you to turn bad situations into positive ones
 - D. Reward you by enabling you to *Give a little and Get a Lot Back!*
 - E. Opens doors for you wherever you journey and **Make your life easier & Happier!**

***** Your Attitude Establishes the Quality of Your Life *****

2. **Management Tips** and Reminders for Customer Service with Persons with Disabilities
 - A. Consider a person's **Needs**. *A persons needs are as unique as their fingerprints*
 - B. See an individual with a disability as a **Person you care about**, not as a problem
 - C. NEVER ASSUME, never rush, use **Patience** and a negotiating smile
 - D. Employ common sense, be **Flexible** and keep an open mind

3. **Motivation... the Key to Success**

The Cycle of Motivation to Gratification...

Motivation provides...

Positive Attitude; which provides...

Success in everything you do; which deserves...

Gratification for a job well done; which provides...

Motivation to start over again with life's next adventure

4. The Importance of **Teamwork**
 - A. TEAM MEMBERS ARE RESOURCES; NOT COMPETITION!
 - B. EVERY MEMBER OF THE TEAM KNOWS WHAT THE OTHERS RESPONSABILITIES ARE
 - C. EVEN IF ONE MEMBER DROPS OUT THE PROJECT CONTINUES
 - D. Morale is improved and that equals motivated workers
 - E. Absenteeism and tardiness rates are down
 - F. All work is double and triple checked. Thus...
 1. Quality is improved
 2. Mistakes are less frequent
 3. Complaints and request for re-do are less frequent
5. **Achieve Personal Maximum Effectiveness**, Work Hard and Live Life to the Fullest!
Don't waste a moment; you will be more satisfied and life will be more enjoyable...
DO IT, DO IT NOW! LIVE YOUR DREAM!!!

6. What's the Problem?

"THE PROBLEM IS NOT PERSONS WITH DISABILITIES; IT'S PEOPLE'S REACTION TO THEM."

You can't always control your circumstances.

But you can control... Your Attitude, Your Words, Your Actions

And you are Completely Responsible for them!

7. Leadership Skills

A. Set the Example

1. Employees emulate both good and bad traits

2. Employees do what they think their supervisors wish

B. Eliminate Rumors

1. Rumors can cause entire departments to like or dislike

a. Someone

b. Something

8. Your Mind is a Valuable Tool, Use it!!!

- ❖ Realize the Value of an Employee with a newly acquired disability returning to work
- ❖ Choose to see beyond what's Unusual to you
 - ❖ Believe that an ethnic/minority QIWD can be of value to your workforce
 - ❖ See hiring as an Opportunity to take advantage of, not a Problem to deal with
 - ❖ You and your applicants Success depends on how you look at things

Remember...

The optimist sees an opportunity in every calamity.

The Optimistic Manager sees the doughnut

The Pessimistic Manager sees the hole

The Law Enforcement Manager eats the donut...

***** ARE you using A.R.E.? *****

IV. Professional Contacts

1. **Appropriate Terminology** for Persons with a Disability. **"Politically Correct"**

A "Person" who has a...

Mobility impairment or uses a wheelchair

Hearing impairment or is deaf, or is hard of hearing

Sight impairment or is blind

Mental impairment or a cognitive or psychological disability

Medical impairment or a medical disability

Always emphasize **PERSON FIRST!**

2. **The 2+2 Full Proof Formula for Initial Contacts: 2-Questions & 2-Philosophies**

Two Philosophies to Work and Live by

- A. Treat everyone equally
- B. Ask only questions that are directly related to business

Two Questions that provide *Universal Solutions* during first-time Contacts.

In a situation where you think a person needs help, there are...

Two *Important Questions* you should ask before you assist...

- A. Would you like some assistance?
- B. How can I assist you?

3. During First-Time Contacts with Persons with Disabilities

DON'T ASSUME THAT . . .

You need to react

The person needs help

You know what a person's needs are

You know what a person's disability is

The person won't notice someone staring at them

A person with a disability Cannot be a Threat

THIS COULD NEVER HAPPEN TO YOU!

Just because a person with a disability may appear different, that they are different

4. ***Communicating Effectively with ALL Persons***

Be an ENTHUSIASTIC LISTENER!

Without Communication:

- A. Contacts fail
- B. Mistakes are increased
- C. Morale, motivation and revenues are Lost
- D. Goals are not accomplished

With Communication:

- A. A Strong Unbeatable Team is Built
- B. Lasting positive relationships are built
- C. Aggressive Creativity and Achievement are Inspired
- D. Successful contacts are increased liabilities are reduced and
- E. Career and Agency Goals are Achieved; then Surpassed

RESULTS: Successful Business, Fulfilled Team Members and Satisfied Clients



IV. Disability Issues

1. **Assistance Dogs:** Guide, Service and Signal dogs have special jobs. They Assist and Accompany their masters who whom all have a disability
 - A. *Guide Dogs are assigned to persons who are blind*
 - B. Service Dogs are assigned to persons who use a wheelchair
 - C. Signal Dogs are assigned to persons who are deaf

The Teams are legally allowed complete . . .

Access & Service at All Public Places, including government agencies

2. **Telephone Communication** with a person who is **Deaf**
 - A. Check with your supervisor to see if you have a “TTY” phone available, or
 - B. Obtain a TTY phone *free of charge* from **CAP!** (See Resources Page-8), or
 - C. Use the Operator Assisted Relay System. An operator will translate a *Typed TTY into Verbal Communication*. Call (411) in your state for the #.

3. **Communicating with Persons who are Deaf** or Hard of Hearing
 - First, find out if the person can read lips...
 - Speak face to face to him/her and in a normal tone.
 - Ask, “Can you read lips?” or “Do you understand?”

 - If there is no response...
 - Write a message to the person on your notepad.
 - Also, let the person respond in writing with your notepad.

 - If there is no response...
 - Look for someone accompanying the person.
 - Ask if they can interpret sign language or personal gestures for you.

If there is no one immediately available to interpret sign language or if you cannot successfully communicate with the person at all, then contact a supervisor and/or EEO officer/manager who can when appropriate, arrange a sign language interpreter. Generally, a sign language interpreter is on call through the EEO Office.



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