



2013 Employment Law Update

*November 7, 2013
Houma, LA*

Presented by

FISHER & PHILLIPS LLP

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Accommodations Under the ADA:

What is Enough?

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NOW THAT EVERYONE HAS A DISABILITY ...

- The ADAAA changed the focus from disability to accommodations
- More Requests
- More EEOC Scrutiny



CHANGE

- Changes to the job application process
- Modifications to the work environment – including how a job is performed
- Changes so that a disabled employee can enjoy equal benefits and privileges



SOME BASICS

- “Reasonable”
- Individual
- Preferential



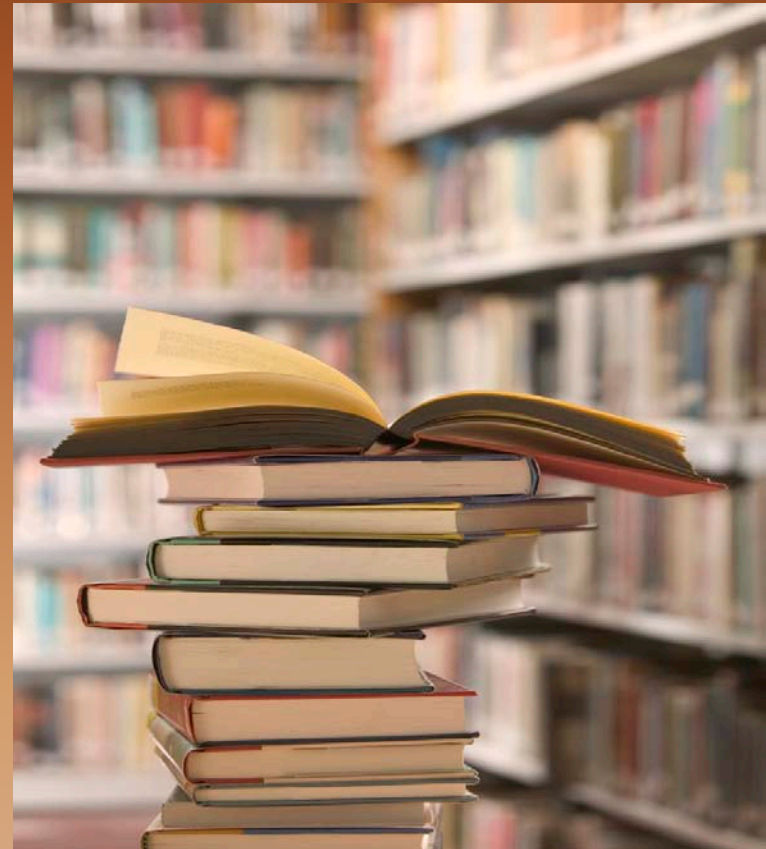
KARNAK SAYS ... NO

- The Process Is The Key
- Employers Who Try, Win
- Employers Who Bury Their Head In The Sand, Don't

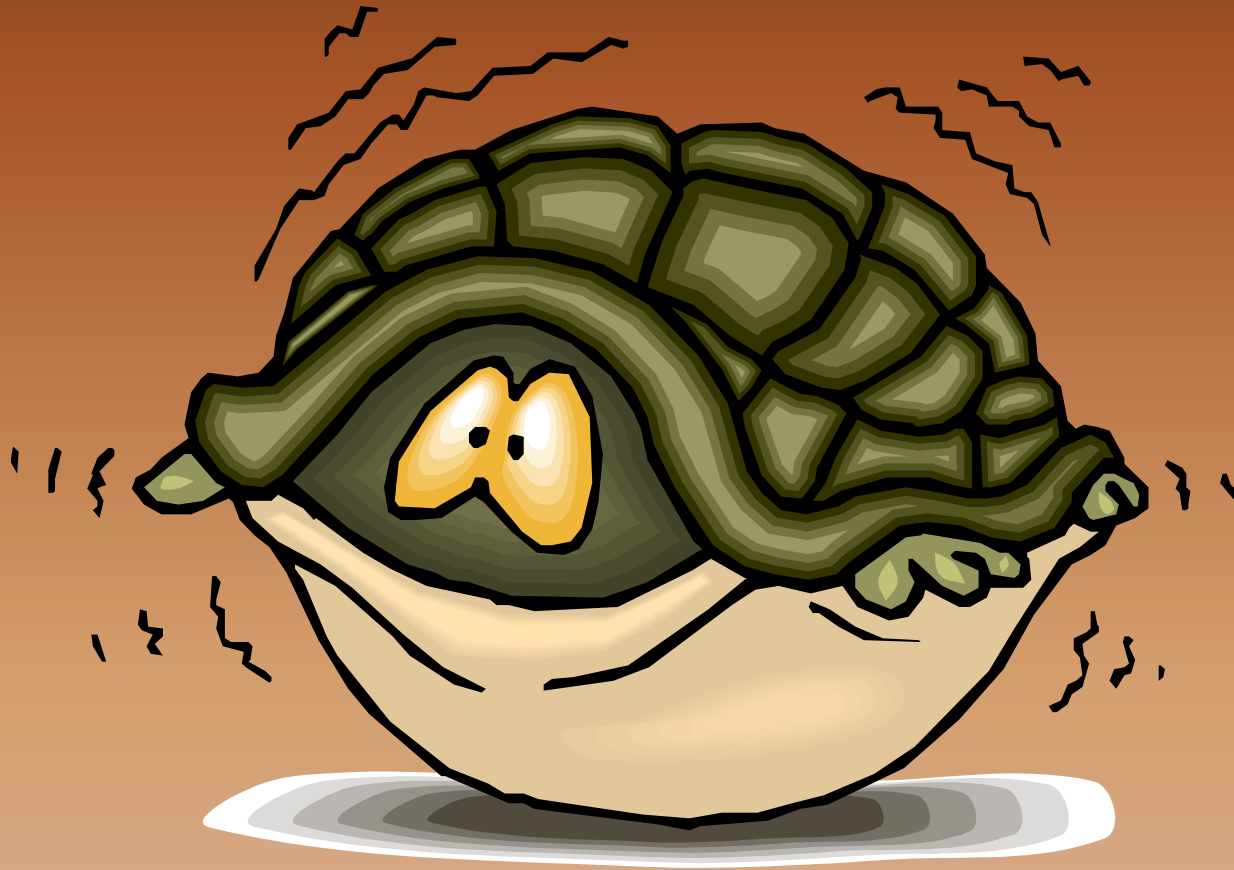


KNOWLEDGE IS POWER

- Medical Information
- Job Information
- Comparator Information
- Legal Information



MAKE A DECISION



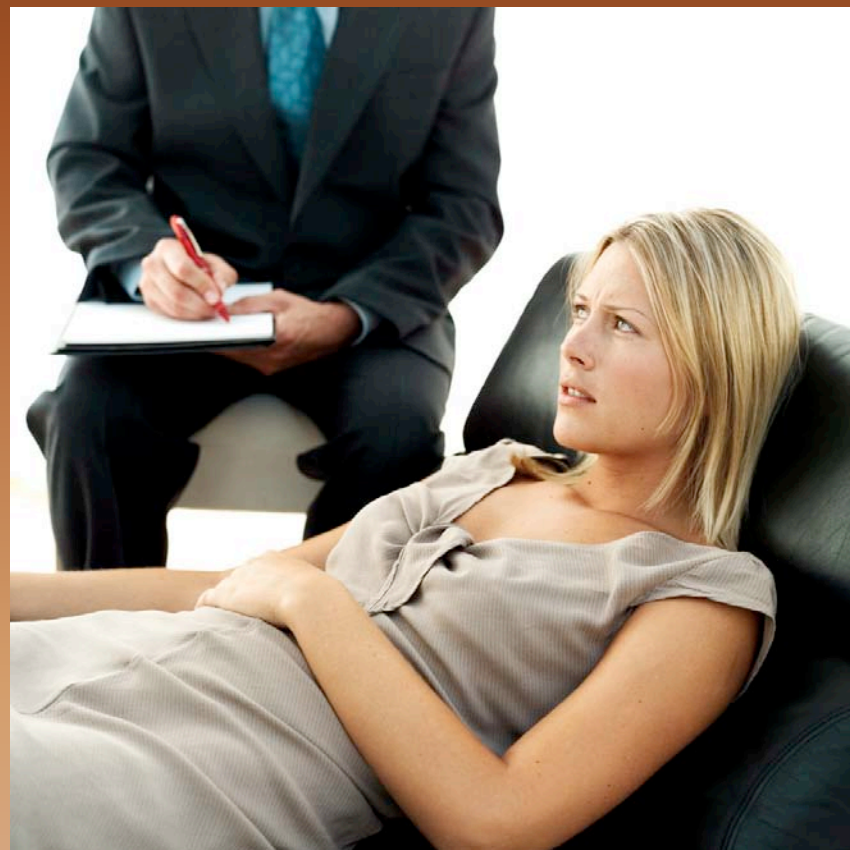
COMMUNICATE

- To Employee
- To Supervisor



MENTAL DISABILITIES

- Threats
- Outbursts
- Harassment
- Appearance
- Tardiness
- Threat of Harm



ALTERNATIVE SCHEDULES AND LOCATIONS

- Work from Home
- Video Conference
- The Coffee Shop



LIGHT DUTY

- Worker's Compensation Insurers
- Effective Programs



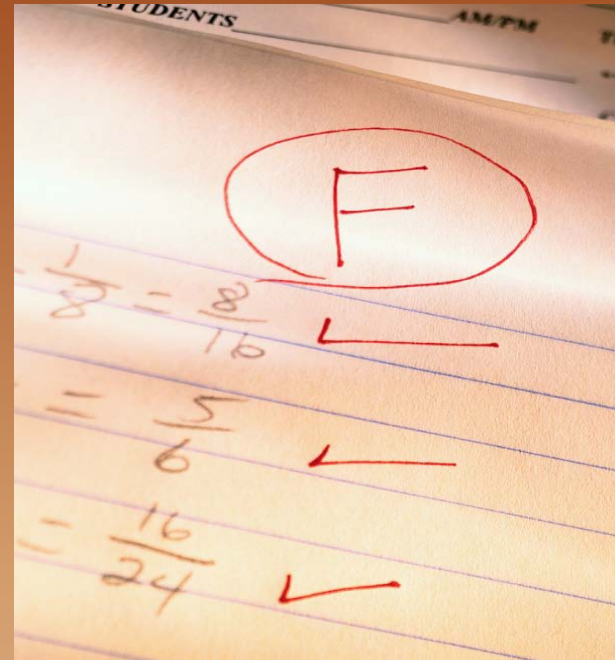
ATTENDANCE AND LEAVE

- Long Term
- Short Term
- FMLA
- Policies
- Pay



HOW TO FAIL

- Assumptions
- Incomplete Information
- Too Much Time
- Someone Else's Problem



HOW TO SUCCEED

- Prepare
- Train
- Follow Through



Final Questions?

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Thank You

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