

NILG

2020 Virtual Conference Webinar Series

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ODEP Driving Change and Creating Opportunity

>>ANITA CLEMON: Hello and welcome to day three of the NILG 2020 campus webinar series.

My name is Anita Clemon and I represent the southeast region on the NILG board. I wish we were altogether at National Harbor, but we're very happy we're able to come together virtually. We have a few housekeeping items before getting started.

This session is being recorded. A copy of the presentation was sent to registrants earlier and is attached to the webinar and available for download. A transcript will also be made available.

You should have also received a link for closed captioning.

There are no SHRM or SHAIC credits for this session. If you have a question please use the chat functionality. Before I introduce our speaker I want to take a moment to thank our sponsors. The support they have shown us these past few months has been amazing and is greatly appreciated. Thank you to our sponsors for supporting the NILG and the 2020 webinar series.

Now let me introduce our speaker for today's session, ODEP driving change and creating opportunities. Jennifer Sheehy is the Deputy Assistant Secretary leading the Office of Disability Employment Policy, ODEP, the U.S. Department of Labor. The mission of ODEP is to develop policy that increases job opportunities for youth and adults with disabilities. Prior to her current position Jennifer spent ten years at the U.S. Department of Education in many roles including acting director of the National Institute on Disability and Rehabilitation Research and Acting Deputy Commissioner of the Rehabilitation Services Administration.

Jennifer joined the federal government after working in the private sector for companies including Sheraton, Marriott,

Anheuser-Busch. She holds an MBA from Georgetown University and has received awards including the 2019 Presidential Rank Award, Women in Government Rising Leader Award and the Diet Coke Glamour Magazine Women at their Best Award. She lives in Washington, D.C. with her husband. Jennifer, welcome. And thank you for being with us today.

>>JENNIFER SHEEHY: Thank you so much Anita. And I agree. I really wish we were there with you guys in person. We have had so much fun at both your national conferences and your regional conferences. This is really something, an event that we are missing this year.

And I want to give my warm greeting to all the NILG members from everyone in ODEP. Our office is the Office of Disability Employment Policy. We call ourselves ODEP. And for the time being, as the Deputy Assistant Secretary, I'm leading the office. And one of my favorite things to do is to work with our alliance partners like NILG. So we have had an alliance with NILG for -- it's one of our longest alliances. Since 2012. And a lot of things have changed since then. It seems like things are rapid where I changing right -- rapidly changing right now. I would like to thank all of you. Because in that time, your insights have fed us in terms of -- we look for best practices, we look for effective strategies in the private sector for promoting inclusion of people with disabilities. And then we develop materials, we do research around those practices. We get those back out to you to share so that others can benefit from those best practices that you all are creating.

And there is a wise speaker who once said that the role of leaders is not to create more, it's to create more leaders. That is exactly what you are doing. And if we can help facilitate that drive in leadership and that increase, then we are happy to continue our alliance and about your partner.

After all, you are providing the job opportunities. So we must understand your needs in tandem with those of individual job seekers and employees.

So next slide please.

Thank you. I think we need to go back. There we go. I want to introduce a couple of my star colleagues who are on this

webinar today. Nakisha Pugh is senior policy advisor and she is leading our employer policy team right now. And working with Tony and Anita and Kevin and many members in NILG to figure out what your challenges are, what your successes are, what your concerns and what your workforces and workplaces look like. So that we can develop those materials that are helpful to you and help you promote that inclusion of employees with disabilities. Renee Tajudeen is our director of communications. And she helps the alliance members like NILG get the word out. So part of a very important feature of the alliance is that we share information. We share had in -- you share information with us. It helps us do our job. And then we get information to you. So as an example, this is July 2020. July 26, 2020, is the 30th anniversary of the Americans with Disabilities Act. Now many people right now aren't necessarily in a celebratory mood, but it is extremely important to celebrate the anniversary through things like social media and blogs and events like this webinar because including all Americans as well as those with disabilities is going to be absolutely critical for getting our country economic machine REV ing up and churning as successfully as it was pre-Covid. So the ADA celebrating the ADA, recognizing the ADA at this time is absolutely appropriate. And Renee is going to help us do that. Next slide please.

Let me tell you a little bit about ODEP. We are part of the U.S. Department of Labor. We're non regulatory. So what that means is we don't have investigative enforcement or regulatory authority. In that sense, we are able to learn a little bit more about what really happens in the workplace and with workers because there are no -- we take that and it's only helpful to you and to us.

And we also promote policies and coordinate with governments and employers with the purpose of increasing workplace success for people with disabilities. As you can see however mission is to develop and influence policies that increase the number and quality of employment opportunities for people with disabilities. One of the offices we work with in the Department of Labor is, of course, the Office of Federal Contract Compliance Program. Nakisha has a successful career there before we stole her to come to ODEP and way back when. Renee has been with us

longer, but she also came from OFCCP. So we have a lot of synergy between our two offices. Hopefully that is helpful to you. We are a young agency. We were established in 2001 to address the needs that employment services, programs and policy really needed to be coordinated at the national level.

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So this is something we call our inclusions at work framework. You can find this framework on our employer technical assistance center EARN. We call our center EARN and it stands for Employee Assistance Resource Network on disability inclusion. This framework was actually the first iteration of this framework, was developed with input from NILG back in 2012 and it really has been the foundation of our employer focus work. Now we have updated it again with your help. And it outlines seven core components of a disability inclusive workplace along with a menu of strategies for achieving them. The seven steps as you can see illustrated on this wheel are an inclusive business culture, how to establish an inclusive business culture, outreach and recruitment, acquisition and retention processes, reasonable accommodations, communication of company policies and procedures, accessible information and communication technology and accountability and self-identification.

Next slide please.

Let's take an example. Back one slide.

Let's take an example here. So measuring success.

Something that is really important to you is the self-identification, trying to understand the numbers of people with disabilities in your workforce and then being able to measure and track those numbers to show how well you are doing on your disability inclusion effort. We know that's important because you believe in it, but it's also important because the federal contractor under Section 503 you have requirements to collect that information and then show progress towards a goal of seven percent.

And we work together. As the example, we work together to figure out what the best practice is in counting the numbers, in promoting a disability inclusive workplace, in conducting a Self-ID campaign. And then we created something called the Self-ID Toolkit. And that has all sorts of information, webinars, materials, success stories, profiles and research to hopefully be

helpful to you in a very pragmatic way as you conduct yourself ID campaign, as you figure out how to increase those numbers of people with disabilities in your workforces that feel comfortable and understand the benefit of raising their hand and saying, I'm here. Count me, because I know I do count in this company that values diversity and disability. We know from a survey you did of your membership last year that most companies are seeing only about a 1 to 2 percent number in their workforce identifying as having a disability. And only about a third have seen an increase in this rate since implementing the 2014 update to Section 503. So we really want to help you in any way we can. We continually are open to feedback. So if you have ideas or if you have challenges, let us know and we will try to respond to those.

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So here is an example. Here is the picture of the Self-ID Toolkit on the EARN website. And the name is engaging employees to measure success innovative approaches to encouraging self-identification of disability which is why we call it the Self-ID Toolkit. As a government agency we like to create very long names. But some of the things we learned when we were doing this work together based on surveys of workers with disabilities, these barriers include people feeling that they are at risk of being fired or not hired or promoted if they ID or being treated or viewed differently by colleagues and supervisors.

They want to protect their privacy or they may feel that they wrongly have a risk of losing healthcare benefits. These are things that we learned from research and then you can set up yourself ID campaign to address those concerns.

And we really learned from your members on some of the best practices on doing that. Next slide please.

So as you know, as a result of this pandemic, the workforce has really changed. But one of the basic foundations of the ADA is really accommodation. And it's interesting that what we saw was that accommodations that were originally for people with disabilities, in this environment, tend to become a little more universal. I'm talking about flexibilities in the workplace or perhaps something like telework, using technology tools to be successful and be productive.

We know that because the environment changed so rapidly and because engaging employees and including employees with disabilities and helping everyone be successful was paramount in your interest, we began to reach out and learn from many of your members about what they were doing to ensure that people with disabilities and really all employees were able to do the work that they were doing before in a successful way as possible in this new and often virtual environment.

And also how to do it safely. So our employer technical assistance center EARN is creating profiles of those companies and their best practices to show how they were able to include people with disabilities. And those are going to be available on the website. Many of them are being published as we speak and we have several -- I think we have 14 new best practices and fact sheets about how to implement those that will be published between now and the end of September. So check back on the EARN website often to see if there is something that could be helpful. And look at the inclusion at work framework. Because everyone of those seven categories of strategies has lots of tools including webinars, videos, success stories, profiles and research that might be able to help you even in the context of Covid-19.

One of the webinars that EARN did was a webinar focused on the Americans with Disabilities Act in the context of Covid-19. And that addressed a lot of questions that had been coming in related to how to make sure that accommodations for people with disabilities or for people who had not before had to identify as having a disability, how those accommodations can be made in a safe environment. And also just how you can make sure you are implementing safety precautions, medical questions as needed, that kind of thing, and still being cognizant and complying with the ADA. That webinar was archived and you can see it on the EARN website.

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Speaking of accommodations ODEP also funds the Jobs Accommodations Network. This is a wonderful resource, a one on one confidential consult practice on specific questions about accommodations. An employee can call a hiring manager can call and talk about a specific job, a specific disability and what are

some of the ideas for accommodation. JAN has actually been around for more than 25 years. And does approximately 40,000 of these consults every year. So they really are the experts. They have a wealth of materials on the website that you can browse and look through or you can call, e-mail. I think you can even text a JAN consultant now. They recently -- they have several new materials that they developed since the pandemic started. And they also have answers to frequently asked questions. Situation and solution profiles based on recurrent scenarios that have been coming up.

An important topic to all of us JAN also published an article on supporting employees with mental health conditions in particular because clearly this is a time of uncertainty. And it can take a toll on employee's well-being. Many employees may experience increased stress or anxiety and depression as a result of the pandemic. Sadly we know that's the case and it's important that all employers recognize it and I know from after talking to so many of you that you are taking measures to recognize and address employees mental health wellness.

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So in that vein, we have published what we call our mental health toolkit. And it's another example of a resource that we couldn't have created without the input of companies that have been out front on this issue, many of them are NILG members. The toolkit on the EARN website and it's built around a four part employer policy framework that we call the four As of a mental health friendly workplace.

The first A is awareness. Involves strategies for educating workers on mental health issues and taking action to foster a friendly workplace. This is about bringing it into the open because certainly the more open it is or the more aware people are, then the less stigma and the more likely an employee is going to reach out for help so they don't suffer more or feel that they are not able to work or continue because of an exacerbated mental health condition.

The second A is accommodation and of course providing employees with mental health conditions that they -- for support that they need to support their jobs. Some of those examples are flexible work arrangements or schedules. And of course

they can also be making sure that somebody has time to go to a therapy appointment or may need a break after they take medication. That is the kind -- those are some examples. But there are many others. And the toolkit has a link directly to many of those.

The third A is assistance and that means providing the needed support and having that support available in the workplace or through work. And many companies do that through formal Employee Assistance Programs or EAPs.

The final A is access. And that really means looking at an employer -- looking at your healthcare policies and your health insurance that you offer employees. And making sure that there is parity with mental health services like therapies or for counsellors and that kind of thing.

So we have done -- looked at research and developing this toolkit of course. And what we found was a few interesting things I think. When employees with depression are connected to mental healthcare and receive treatment, 86 percent show an improvement in work performance. In addition, some studies have found that the treatment of depression has been shown to decrease absenteeism and presenteeism. So of course that means working while you are ill or injured and reducing that absenteeism and presenteeism in employees by 40 to 60 percent. Furthermore when looking at the cost benefit analysis of an Employee Assistance Program, we found or this research found that for every dollar spent there is an expected return on investment 5 to 6 and a half times that. So they are obviously, effective strategies and something that is worth doing from an employee support perspective, but also from a financial perspective.

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Okay. So there is a future beyond all this. We're happy to report.

And we really want to talk a little bit about what that future looks like. So one of the things that we have learned about in this Covid environment is the importance of accommodations and being flexible. Accommodations generally were built on the premise that some flexibility in how someone works, what they work with, and when they work can add -- help a person with a



disability be successful on the job. So I think everyone is realizing now that we do have to be flexible with all employees. And that perhaps that flexibility isn't as difficult as 30 years ago when the ADA was being debated. Now it has become very much routine to make sure that all employees have the tools they need to be successful in the workplace.

In ODEP we're constantly looking towards the future because we want to make sure that policies to include people with disabilities in the future workforce and in the future workplace wherever it is includes people with disabilities. So that the policies are designed in the beginning of these discussions as we look forward to the future. So we're not trying to retrofit or wedge new policies into an already existing strategy or plan.

So 20 years ago, we may not have thought about working with cell phones or doing meetings on Zoom or WebEx. But we had worked on policies with companies with developers with technology companies and employers to anticipate what some of those new tools workplaces and workforces would look like so that people with disabilities would not be disadvantaged by progress, but could participate in progress along with everyone else.

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So what are we working on right now? In terms of the workforce workplace, certainly we are anticipating advances in automation and technology. Now again accelerated the rise of the gig economy or people working in companies like Uber or Lyft or doing freelance editing, writing, having consulting, and that kind of thing. And then the third is we have seen the nature of apprenticeship really change over the last few years, but now change even more dramatically.

So some of the issues that we are seeing in technology, for example, and that we're involved in, again, we're working with developers technology companies and in this case automobile manufacturers because autonomous vehicles are going to be certainly the mode of transportation in the future. So we want to make sure that whether someone an autonomous vehicle is part of a fleet of vehicles like a Lyft fleet or Uber fleet that someone with a disability can use that vehicle. And on the app, on his or her phone, make sure that they know where that car is, when it

comes to pick them up, if they happen to be blind, make sure that there are alternative ways of communicating with the car if the person is deaf and many of the strategies as we found throughout the history of people with disabilities through technology, many of the technologies and features that are built in for accessibility tend to be helpful to everyone. And just make the use of that technology easier for everyone.

So we have come a long way where technology companies may originally have not always been forthcoming in terms of including those accessibility features on the front end. Now we see people reach out to us because they know that having a greater number of people using their technology can only benefit their business, but they also know that those features are going to benefit customers with and without disabilities. So we're keeping very busy.

Another technology that has gained a lot of attention is AI, artificial intelligence.

Companies are using those in all sorts of ways related to employment. One is in recruiting and screening some of those applicants in order to really cut down on the labor that goes into looking at applicants. When a company might get 2,000 applicants for a particular job. But as we have seen in with other communities, sometimes artificial intelligence can have a bias. And in order to make sure that the bias is not keeping qualified people with disabilities out of your pool of applicants, we need to make sure that policies are built in to the artificial intelligence and how it does its job to allow people with disabilities to be successful in that job, to get their resume included with those highly qualified applicants. Those are just a couple of ways that we are working on the issues, the technology issues of the future. Next slide please.

So our Partnership on Employment and Accessible Technology PEAT is our resource through which we do this work on technology. And PEAT has many tools and materials to help companies ensure not only that their websites are accessible, something that basic, but also how to ensure that your recruitment and your online job application software is accessible. They can help you with -- they have a tool to help you make sure that other employment related systems software that you use like

your HR software, your payroll software, or your time sheet software is accessible to employees with disabilities. I encourage you to go to [PEATworks.org](https://PEATworks.org) their website.

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Again, while it's impossible to know the exact changes on the horizon, change itself is always a given. And as we venture into -- as we navigate through this new environment, venture into the environment of the future, it's really important that we hear from you in order to understand how we can best help you meet your workforce needs and also promote your disability inclusion practices.

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So one of those more fun strategies is celebrating the talents and the contributions of your employees with disabilities. And I know so many of the companies in your membership do all sorts of recognition events. It's going to be a little bit different this year of course. Clearly, 2020 is going to be remembered for a lot of things and not all of them welcomed. But as I mentioned, it is so important to recognize the contributions of people with disabilities, remind people with disabilities who may be -- some of whom may be feeling particularly vulnerable right now, that they are part of your valued team. And that whatever they need to be successful on the job and continue working to advance your goals and your mission is available to them and needed.

Some of the things, looking back 30 years, I actually had not had my spinal cord injury in 1990. I had it in 1994. In 1992 I was working for Marriott in one of their higher end hotels. And in 1992, the ADA became effective for our hotel. And to lead up to that point we really scrambled. Marriott had all the best intentions and did exactly what they should have done and in fact when beyond it including in our hotel, but it was really interesting to become aware of customers with disabilities and how they could access all what we thought of as awesome features and facilities that our hotel offered. So I remember thinking back then this is so important. And I was -- I felt a little ashamed that I had not thought of it before the ADA had passed. So 1994 I ended up having my spinal cord injury. And I ended up -- I was in between my first and second year of business school and working for Anheuser-Busch up in Saint Louis.

It was a very different time 30 years ago or 26 years ago. And one of the awards that Anita mentioned, the Glamour Magazine award, one of the reasons I included that today is not because I want you to think I deserve to be in Glamour Magazine, but I was so -- I had not really done anything to deserve an award. When I received it, I had basically left my rehab hospital and gone back to business school and I felt like wow. I'm getting an award. Honestly, I loved it. I got a trip to New York and a free makeover. But it occurred to me at that time that one of the reasons that I was being recognized was because so few people could really put their place in my shoes. And they just couldn't understand or really appreciate how someone with a disability would do all the normal things that everyone does. 30 years later, I can happily say that people with disabilities are really enjoying interactions on the same levels so much of the time with people without disabilities. And frankly, NILG members and federal contractors as we have said we're leaders in this area. You had some requirements preADA in the Rehabilitation Act with Section 503 and certainly with the Civil Rights Act. So you are used to it. And you really taught many other employers that weren't federal contractors how to be inclusive and promote inclusion of people with disabilities.

So we have a poster on our website. Increasing access and opportunity is the theme this year for the 30th ADA anniversary. It also happens to be the 75th anniversary of the National Disability Employment Awareness Month which we recognize in October.

So this -- I encourage you to download the poster or send them virtually to your employees. And we would love to know how you are celebrating. Just because we can't hold events in July, we can do all sorts of things to recognize the anniversary. And that includes press releases, statements from the CEO, webinars like we're doing here, trainings on how to make sure that people understand the accommodations process. Those kinds of things.

I do have to say that often it's the stories from leaders in companies that have disabilities. And of course think about it. All sorts of disabilities. Whether it might be a leader who has anxiety or has a learning disability or diabetes or has some other

type of disability. When those leaders do statements or blogs, acknowledge their disability, and their employees see that that leader has been successful and was able to advance his or her career in that company with a disability, I promise, it goes a long way to building trust with all employees. But, also, builds a culture -- helps build a culture where people with disabilities are going to self-identify as having a disability. So those are just some of the ideas of how to celebrate.

Next slide please. So I'm going to end here with a picture of the signing of the ADA. And this was of course President George H.W. Bush and some leaders in the disability community. In particular one of -- something from his speech that day struck me. He said, You have in your hands the key to success of this act. You can unlock a splendid resource of untapped human potential that, when freed, will enrich all. And I remember thinking when I saw that that the goal of the ADA is really that world where people with and without disabilities access all the joys and benefits of the community, of the workplace, of schools, of just every activity that we as citizens and human beings like to do. And the ADA is such an important foundation piece to do that. We could not do what we do to help employers and help realize the hope of the ADA without our partners in NILG. And I have to say I really do look forward to seeing many of you in person again. We have done so many regional visits and we would love to continue those whether they are virtual or not. But until we see you in person, I would just like to say, thank you for helping to unlock the potential of people with disabilities for fostering inclusion and for advancing the spirit of the ADA in your workplaces now and for the next 30 years and beyond. Thank you very much. Thanks and back to you Anita.

>>ANITA CLEMON: Thank you so much Jennifer. We so appreciate your leadership and our continued alliance with ODEP ODEP. I think we'll now open it up for questions.

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>>KEVIN CARPENTER: Can you hear me.

>>I can.

>>KEVIN CARPENTER: We do have a few questions in the cue. The first question is we have a lot of people that choose not to disclose. How do we overcome that.

>>JENNIFER SHEEHY: To be honest, we in the Department of Labor are also employers and we do our own Self-ID campaign because it's super important to understand the needs of employees. And I think helping establish a culture, the things that you can do to establish a culture of trust and engender a belief in the employees you are asking because you want them to be successful will go along way to increasing the numbers of people that self-identify. In our Self-ID Toolkit there are examples from companies that have been successful at increasing their numbers year to year after they have conducted those self-ID campaigns. It's everything that you do to promote a disability inclusive workforce. Certainly messages from managers and from the company leadership help quite a bit. Showing that you are asking because you want to make sure that you are giving employees the tools they need to be successful helps. Having internships that are clearly inclusive of people with disabilities. Having those nondiscrimination policies front and center in all your activities. Holding activities where you could really show that you have made arrangements for interpreters or other types of disability modifications. All those types of things can help. But I think checking out the toolkit and seeing what your peers have done in other companies, what they have done that works and what they have done that did not work could be helpful.

>>KEVIN CARPENTER: Thanks, Jennifer. We have a couple more questions that came through. The second one is, and Jennifer, this goes back to the slide where you were discussing mental health. And the question is where is the accommodation list for individuals with mental health issues.

>>JENNIFER SHEEHY: Sure there are two places that you can look for this, but actually they both lead to each other. One is on our EARN website. You can see on this slide it's ask.EARN.org. And it's where you click on the mental health toolkit. The second A in the mental health toolkit the four As of mental health is accommodation. And there are lots of materials on different types of accommodations and scenarios of people that are available it also links to JAN. The website is ask.JAN.org. It

has not only web materials, documents that list different types of accommodations and strategy, but they also have videos on how to interact with employees that might need those supports. And maybe haven't necessarily identified that as a need, but because of work performance there might be a question from a manager how someone can be assisted and if supporting mental wellness would be part of that.

>>KEVIN CARPENTER: Great. Thank you. Next question. What are your thoughts on including or inviting other areas of self-identification to be incorporated into disability self-ID programs.

>>JENNIFER SHEEHY: I think that question means should you just stick with disability or should you ask questions that might help the company understand the profile of its employees so that they can help them in different ways. And I think it really depends on the company and the workforce that you have, but I think it's -- on the benefits side it shows that disability isn't a separate thing. You just care about all your employees. And you want to know what your employees interests are. What their backgrounds are. How you can make sure when you set up your programs for engaging employees and that you are including things that address all those interests and differences. And the company shows that diversity is an important aspect of their workforce and of their culture.

I think that is something that some of the companies that are profiled on the Self-ID Toolkit could also maybe give you more detailed responses to. And so if there are companies that you want to reach out to, we might be able to facilitate that if you don't have contacts.

I hope that's helpful.

>>KEVIN CARPENTER: It is. Thank you. Next question. Where can I find the flyer for the 30-year celebration?

>>JENNIFER SHEEHY: Good question. Thanks for asking. You can find that on our website and ODEP's website is DOL.gov slash ODEP.

And we do have an ADA 30 page now with all sorts of ideas for

how to celebrate or recognize the anniversary. And in October because that poster will still be relevant, we will have ideas for how to recognize disability employment awareness month too. And certainly we would love to hear from your members about any recognition activities that they have for either anniversary because we may show case some of those just because it's always good to see what is happening across the nation to recognize and celebrate people with disabilities and what they can do for your businesses.

>>KEVIN CARPENTER: Great thank you. And the last question I see at least from the audience in the cue is how do you publicly recognize individuals with disabilities while also maintaining the confidentiality of the employees disability.

>>JENNIFER SHEEHY: That's a great question. It's good to ask. We deal with this ourselves too because in the Department of Labor we really strive to have a model workforce and we want to profile our successful people with disabilities. Obviously, one easy thing to do is just ask them if they are okay with that. We do that all the time. And I think it is important that if someone has confidentially told you about a disability for an accommodation, of course, that is private. And it's important that you don't share the information related to that disability without checking. Some people are very open about sharing because they know that as a leader sometimes taking that risk can mean open about their disability whether it is a physical sensory or mental health disability or autism or learning disability can help someone else who might be hesitant to reach out for the support or the accommodation they may need. It could help that person say hey I think it's safe to do this. And they will be more likely to be effective and successful if they get the support they need. So we think it is something where you do have to respect that someone, even if they have been open about it to you, may be less open about sharing it to a wide group and asking is always the best practice.

If you are interested in profiling successful people with disabilities, but don't have someone that is willing to share to a wide audience, we have lots of success stories on our website.



And they all come from businesses like yours. We're happy for you to take those and share them with your employees as well.

>>KEVIN CARPENTER: Thank you Jennifer. For those of you who were having trouble finding the ADA 30 flyer it is at the website DOL.gov slash ADA 30.

>>JENNIFER SHEEHY: Sorry.

>>KEVIN CARPENTER: Thanks Renee for sending that over. We got it. I think we have a few more minutes for a couple questions. Jennifer, we received the ones yesterday. We can address those at this time. I don't see any other questions at the moment in the cue.

Let me ask the questions that we received yesterday.

First, you mentioned the 30th anniversary of the ADA. What are some ways companies can observe the anniversary if they are operating mainly remotely since company sponsored events or participation and community events is not likely.

>>JENNIFER SHEEHY: We're going through that ourselves. We have really stepped up our social media, thank you Renee our director of communications, we have put some blogs together. We are looking at leaders in our own department to put out statements. We are also doing things like this webinar where we want to broadcast our resources, but also be helpful. And this webinar I think Kevin will it be archived for the members to perhaps use at a later date?

>>KEVIN CARPENTER: Yes. It will be archived I think by the end of the week on our website.

>>JENNIFER SHEEHY: Great. Something like that.

Webinars on how to go through the interactive process for reasonable accommodation and then giving examples of accommodations, our Job Accommodation Network has archived webinars that you could easily set up a time and show to employees and then maybe facilitate a Q and A afterwards. That would be one idea.

And certainly there are movies out there that you could kind of have a virtual employee movie time and then another facilitated

discussion afterwards. We had a great event with Chamique Holdsclaw a couple years ago I think 3 or 4 years ago and she is a professional basketball player who experienced depression and then experienced bipolar disorder, but she and her coach figured it out and figured out how she could stay on the job and still be successful. And there was an amazing documentary about it. Just seeing that type of movie or video or something. And then having a Q and A or a way for broadcasting your own resources like the Employee Assistance Plan that you might have offered in your company or access to counsellors, that kind of thing. Something like that you could do. There are a lot of different ideas. And you can go to our ADA website to get some more. So yes. You can go to [DOL.gov slash ADA 30](http://DOL.gov/slash/ADA/30).

>>KEVIN CARPENTER: Thank you Jennifer. A great question just came through.

Which organization for employers to receive workplace assistance for a person who recently became a quadruple amputee EARN or JAN or any other recommendation you have Jennifer?

>>JENNIFER SHEEHY: Sure. The Job Accommodation Network JAN is all about how to set up a workplace to accommodate different disabilities. If that is the information the employee is looking for, JAN would be the way to go. For a small business that may not have welcomed back someone who has a significant disability and wants to know some ideas for how to set up that disability inclusive culture, you could go to JAN or EARN. So it's really both resources can be helpful and they work together all the time. So if one thinks that the other can help, they will steer you towards that one.

>>KEVIN CARPENTER: Great. Thank you.

Another question is related to Covid and accommodation. If someone requesting accommodation to reduce the risk of exposure to the virus for instance, a request to continue teleworking, can disability related documentation be required?

>>JENNIFER SHEEHY: Excellent question. In normal times and now too documentation can be required in order to establish the need for the eligibility for an accommodation so that the

employee has a disability. What we found right now is just from the practical standpoint it doesn't make sense to have an employee get a new documentation to actually go to a doctor, medical professional. It might not be safe to do that. So there are all sorts of ways to handle this. And one of them is to get permission to speak to a physician and let that person, physician, establish it just in a conversation. Accepting information by e-mail, using documentation that might be already on the record or that the company has or the person has access to even if it's not super recent might be something that the company allows. Also, approving the accommodation depending on what it is, of course, but approving it until the eligibility for an accommodation and disability can be established. So we're doing that kind of thing. We give the employee the benefit of the doubt and we say, Okay. You can have this accommodation now and please when you are able to access, get the medical professional to write the letter for the documentation, when they have the time to do it, when they are not struggling to just meet the needs of people who are experiencing Covid symptoms or something, then you can get it at a later date. And we reevaluate the accommodation at that time so those are some ideas. I do want to mention too that on our ODEP website we have a Covid page and it has resources for employers about how to navigate the ADA and also how to navigate the ADA in the context of HIPAA for privacy concerns.

The new information from the EEOC frequently asked questions that are related to the pandemic and managing safety while also complying with the ADA. All those resources are also on our website. And I would encourage employers to look those up. Because certainly, there are flexibilities in the ADA requirements because of some situation like the pandemic. But you do want to make sure you know what they are and also how to honor and comply with the civil rights established by the ADA for people with disabilities. Hope that's helpful.

>>KEVIN CARPENTER: Very helpful. Thank you and one last question.

Is ODEP do you know if it's working with the EEOC that has stated that a potential disability doesn't come under the ADA?

>>JENNIFER SHEEHY: Because of Covid you think you mean? Like they are not sure if it's a disability because it's new?

>>KEVIN CARPENTER: I think it's in general.

>>JENNIFER SHEEHY: In general are we working with the EEOC on new ADA related policies? Is that what the question is.

>>KEVIN CARPENTER: I believe that's the question. Yes.

>>ANTHONY KAYLIN: This is Tony. And the question is in the Covid-19, which you were just talking about, and talking about how to do an accommodation, the EEOC has given some guidance that says that the fear of getting potentially Covid-19 may not fall under the ADA.

So the question is are you working with the EEOC to try to clarify that question about the possibility of getting Covid versus actually having Covid and falling under ADA.

>>JENNIFER SHEEHY: I see. I got you.

We have been working with the EEOC. And I haven't asked them specifically about that. We have been obviously, sharing the resources and the FAQs as they come out with our audience and stakeholders like employers. But we will do that because I know just as we move forward there are so many questions we had not anticipated before. So thank you. And if you want to send me that, we'll follow up.

>>KEVIN CARPENTER: Great thank you. Anita, I'm going to turn it back to you to close this out. And thank you.

>>ANITA CLEMON: Thank you Kevin and Tony and Jennifer thank you so much for your graciousness and sharing with us today. I also want to thank all who are in attendance and our sponsors. If you are part of a local ILG and want to become more involved reach out to us. We can help. We also want to see you personally next year in 2021 in Nashville the first through the fourth. If you go to the website and the link listed on the PowerPoint, we are offering a complimentary registration. Sign up for that give away.

If there is nothing else, we would like to thank you again and hope to see you at another webinar or hear you at another webinar throughout the end of August. Take care and stay safe.