

REASONABLE ACCOMMODATIONS

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Primary Disciplinary Field(s): Law, Human Resources Management, Education, Rehabilitation Psychology

1. Core Definition

The concept of **Reasonable Accommodations** refers to modifications or adjustments made in a work environment, educational setting, or public facility that enable individuals with disabilities to have equal opportunities and perform essential functions of a job or participate fully in academic life. These accommodations are designed to eliminate barriers--whether physical, structural, procedural, or communicative--that arise due to a person's physical, cognitive, or psychiatric disability, ensuring they are not unfairly hindered in achieving their professional or academic goals. The legal mandate requiring the provision of such adjustments is rooted in the fundamental principle of non-discrimination and the promotion of inclusivity, recognizing that equality does not always mean treating everyone the same, but rather ensuring equitable access.

In practice, a reasonable accommodation is an alteration that allows a qualified individual with a disability to enjoy benefits and privileges of employment or education equivalent to those enjoyed by individuals without disabilities. The determination of what constitutes "reasonable" is context-dependent, necessitating an individualized assessment that balances the needs of the employee or student against the operational realities and resources of the employer or institution. The key characteristic of an accommodation is that it must be effective in allowing the individual to perform the **essential functions** of the role or program, without fundamentally altering the nature of the job or imposing an undue hardship on the provider.

2. Legal Foundations: The Americans with Disabilities Act (ADA) and the Rehabilitation Act

In the United States, the requirement to provide reasonable accommodations is primarily enforced through two landmark pieces of legislation: the Americans with Disabilities Act (ADA) of 1990 (as amended by the ADA Amendments Act of 2008, or ADAAA) and the Rehabilitation Act of 1973. The ADA is the most comprehensive federal law prohibiting discrimination against individuals with disabilities, covering employment (Title I), state and local government services (Title II), and public accommodations (Title III). Title I, enforced by the Equal Employment Opportunity Commission (EEOC), explicitly requires employers with 15 or more employees to provide reasonable accommodations to qualified employees or applicants unless doing so would cause an **undue hardship**.

The Rehabilitation Act predates the ADA and applies specifically to the federal government and

recipients of federal funds. Sections 501 and 504 of this Act are crucial; Section 504 prohibits discrimination on the basis of disability in programs and activities receiving federal financial assistance, including many public schools and universities. While the language and scope differ slightly, the core obligation under both the ADA and the Rehabilitation Act is the same: to engage in an interactive process with the disabled individual to identify and implement effective accommodations. This robust legal framework established a shift from viewing disability as a personal tragedy to recognizing it as a societal responsibility requiring systemic removal of barriers.

3. Scope and Application Across Sectors

The mandates for reasonable accommodations are extensive, applying broadly across different sectors, each with its own specific interpretation and enforcement mechanism. In the **employment setting**, accommodations may relate to job restructuring, modified work schedules, reassignment to a vacant position, acquiring or modifying equipment, or adjusting examinations and training materials. The goal is to ensure that the disabled employee can access the workplace, execute tasks efficiently, and enjoy the same employment opportunities as non-disabled colleagues. This principle extends to all facets of the employment relationship, from the application process through termination.

In **educational settings**, particularly higher education and federally funded primary and secondary schools, reasonable accommodations ensure equitable access to learning. For students, accommodations might include providing note-takers, extended time on tests, accessible classroom locations, adaptive technology (such as screen readers), or modifications to course delivery methods. The objective is to enable the student to meet the academic standards of the institution without lowering the required performance standards for the degree or program.

Beyond traditional workplaces and schools, the accommodation principle is also critical in ensuring accessibility in public life. Title III of the ADA mandates that public accommodations--such as hotels, restaurants, theaters, and medical offices--must make reasonable modifications to policies, practices, and procedures unless those modifications would fundamentally alter the nature of the goods or services provided. For instance, allowing a service animal into a "no pets" policy area is a common accommodation requirement under this title.

4. The Concept of "Undue Hardship"

The legal obligation to provide reasonable accommodations is not absolute; employers and institutions are not required to provide an accommodation if doing so would result in an **undue hardship**. Undue hardship is defined by the EEOC as an action requiring significant difficulty or expense. This standard involves a rigorous, fact-specific analysis of several factors, ensuring that

the exemption is not used lightly to avoid necessary modifications.

Factors considered when determining undue hardship include:

The nature and net cost of the accommodation needed, taking into consideration tax credits, deductions, and external funding available.

The overall financial resources of the facility or entity involved in providing the accommodation; the number of persons employed at this facility; and the effect on expenses and resources.

The overall financial resources, size, number of employees, and type of operation of the employer, including the composition, structure, and functions of the workforce.

The impact of the accommodation upon the operation of the facility, including the ability of other employees to perform their duties and the facility's ability to conduct business.

It is crucial that the undue hardship defense applies only to the specific accommodation requested, not to the individual's continued employment or enrollment. Furthermore, the burden of proving undue hardship rests squarely with the employer or institution, requiring substantial evidence to demonstrate that the cost or operational disruption is truly significant. If a requested accommodation presents an undue hardship, the employer must still explore alternative, effective accommodations that would not impose such a burden.

5. Examples of Effective Reasonable Accommodations

Reasonable accommodations vary widely depending on the nature of the disability, the work environment, and the essential functions of the job. They can range from simple, low-cost administrative changes to significant structural alterations.

Physical Accessibility Modifications: These include infrastructural changes necessary for mobility, such as building a **wheelchair ramp** to access facilities, installing automatic doors, adjusting desk heights, or providing accessible parking spaces and restrooms.

Job Restructuring and Scheduling: For individuals with disabilities like chronic fatigue or psychiatric conditions, accommodations may involve flexible scheduling, modifying start/end times, allowing for frequent breaks, or restructuring marginal job functions to be performed differently or by another employee.

Assistive Technology and Equipment: This category encompasses specialized tools, software, or devices. Examples include screen readers for visually impaired employees, adaptive keyboards or ergonomic equipment for those with motor difficulties, or hearing loop systems for employees with hearing impairments.

Policy Modifications: Changing workplace policies that unintentionally disadvantage a disabled individual. For example, modifying a dress code to allow an employee to wear specialized orthopedic shoes or adjusting a leave policy to allow accrued time off for disability-related medical appointments.

Communication and Training Aids: Providing materials in alternative formats (e.g., Braille, large print, audio files) or providing interpreters for deaf employees during meetings and training sessions.

6. The Interactive Process and Implementation

The provision of a reasonable accommodation typically begins with a request from the qualified individual with a disability, though the obligation may be triggered if the disability-related need for an accommodation is obvious. Regardless of who initiates the process, the law requires the employer and the individual to engage in an **interactive process**--a flexible, informal dialogue designed to identify the precise limitations resulting from the disability and potential accommodations that could overcome those limitations.

This process involves several critical steps:

Identification of Need: The individual informs the employer/institution of the disability and requests an adjustment.

Gathering Information: The employer may request medical documentation to confirm the disability and understand the functional limitations relevant to the job or academic setting.

Exploring Options: The parties discuss potential accommodations, evaluating their effectiveness and cost. The employer must consider the employee's preferred accommodation but is not required to provide the specific accommodation requested, only an effective one.

Implementation and Monitoring: Once an accommodation is agreed upon, it is implemented. The effectiveness of the accommodation should be monitored and reviewed periodically, as needs or job duties may change over time, requiring modifications or alternative solutions.

Failure by the employer or institution to engage in this good-faith interactive process can itself constitute a violation of the ADA, even if no effective accommodation was ultimately available. The emphasis is placed on mutual participation and finding practical solutions that foster an inclusive environment.

7. Further Reading

[U.S. Department of Justice: Information and Technical Assistance on the Americans with Disabilities Act](#)

[U.S. Equal Employment Opportunity Commission \(EEOC\): Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the ADA](#)

[U.S. Department of Labor: The Rehabilitation Act of 1973](#)

[ADA National Network: Reasonable Accommodations in the Workplace](#)