



ACHRO 2023

The Last of the Fully Remote Workers:

What to Do When Employees Can't (or Won't) Come Back to Campus

Presented by Rachel Shaw



Today's Topics

Evaluating Remote Work as a Reasonable Accommodation

- The Approach
- The Process
 - The Disability Interactive Process Hallway®





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Conference Materials

- Visit www.shawhrconsulting.com
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- Type in the conference code **ACHRO23**, as well as your email, and click Submit.
- Information is located at bottom of table of contents handout.
- An automatic download will start.



General Information on Session

- I have not read your Personnel Rules or Collective Bargaining Agreements and best practices may conflict with your organization's rules or policies, so
- Before changing any practices, you are encouraged to consult with your legal counsel to determine if there are any meet and confer obligations and/or regulations that must be taken into consideration before changes are made.
- I am not an attorney.
- I knowingly violate every PowerPoint rule – so that you have a tool and resource that you can reference in the future.
- Enjoy!

**Whether You Call it Telework,
Remote Work, Work from Home,
or Telecommuting...**

**... It Continues to
be a Painful
Accommodation to
Manage**



Remote Work Evaluation: The Basics

- Employers must provide disabled employees and applicants with reasonable accommodations
- Remote may be a reasonable accommodation in some circumstances
- Employers have an obligation to ensure that they are making sound and data-based decisions when deciding if remote is a reasonable accommodation



Remote Work Evaluation: The Basics

- Employers cannot treat disabled persons worse than non-disabled persons.
 - If you have non-disabled persons who have been “allowed” to work fully remote, you may be required to do the same for disabled persons
 - Disabled persons will have preference over non-disabled persons with the same benefit of employment (a.k.a. remote work flexibility)



Remote Work Evaluation: The Basics

- An employer has a duty to make reasonable accommodation(s) for the disability of any individual applicant or employee
 - **Takeaway:** Engaging in the interactive process is required
- A reasonable accommodation is any change in the work environment or in the way things are customarily done that enables an individual with a disability to apply for a job, perform a job, or gain equal access to the benefits and privileges of a job
 - **Takeaway:** Reasonable accommodations can take many forms, even undesirable ones.



Remote Work Evaluation: The Basics

- The Equal Employment Opportunity Commission (EEOC) has said that allowing an individual with a disability to work from home may be a form of reasonable accommodation under the Americans with Disabilities Act (ADA)
- Under the California Fair Employment and Housing Act (FEHA), an example of a reasonable accommodation can be “[p]ermitting an employee to work from home[.]”

Federal: EEOC, Work at Home/Telework as a Reasonable Accommodation;

<https://www.eeoc.gov/laws/guidance/work-hometelework-reasonable-accommodation#:~:text=Yes.,allow%20other%20employees%20to%20telework>

California: Cal. Code Regs., tit. 2, § 11065(p)(2)(L)



Remote Work Evaluation: The Basics

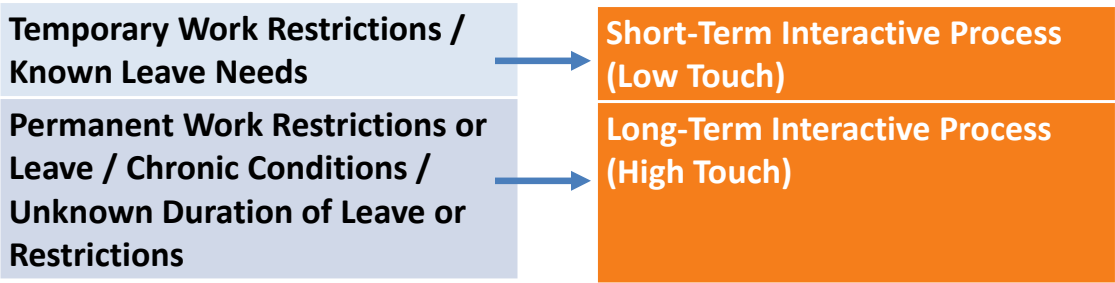
- The ADA and FEHA do not require an employer to provide a specific accommodation if it causes undue hardship, i.e., significant difficulty or expense, or if it eliminates an essential job function
 - Meaning:
 - You can implement **alternative accommodations**, if they exist, that are more preferable to the employer
 - You **can deny remote work as an accommodation** if the employee cannot do their full job remotely, as long as you have not removed this essential function from others.



Interactive Process

If remote request is for a **TEMPORARY** period, (total time needed is less than XX months) most employers will follow your current short-term/temporary accommodation process.


If remote request is long-term, permanent or exceed XX months, we recommend you follow a robust **LONG-TERM** Interactive Process.




Keys to Evaluating Long-Term Remote Work Requests

1. Is In-Person Work an Essential Job Function?

2. Is Remote Work Medically Needed or are there Alternatives?





Is In-Person Work an Essential Job Function?



Remote Work Evaluation: Essential Functions

Is Working In-Person / Teaching In-Person an Essential Job Function?

- If your organization has persons working fully remote due to department chair decisions, relationships, past accommodation decisions, etc. you likely CANNOT say working in-person is an essential job function
- If you have others in the same classification/job title working fully remote, **you need to know this before you make decisions** on in-person essential function performance. Do your homework.
 - Classified Staff
 - Faculty



Remote Work Evaluation: Essential Functions

Is Working In-Person / Teaching In-Person an Essential Job Function?

- Employers **cannot** treat disabled persons worse than non-disabled persons.
- If you have non-disabled persons who have been “allowed” to work fully remote, you will likely be required to do the same for disabled persons
- Disabled persons **will have preference** over non-disabled persons with the same benefit of employment (a.k.a. remote work flexibility)



Remote Work Evaluation: Essential Functions

Is Working In-Person / Teaching In-Person an Essential Job Function?

- If you Answer:
 - **YES**, then you will be seeking alternatives to work remotely, because if you cannot discover alternatives, you will be looking at leave, alternative work exploration and possibly medical separation (faculty) / 39-month placement (classified)
 - **NO**, then you will want to have a very robust medical clarification process to ensure that **ONLY** people who have no alternative accommodation options are being accommodated to work fully remote



Remote Work Evaluation


Is Working In-Person / Teaching In-Person an Essential Job Function?

- Regardless if your answer is YES or NO, you will need a robust ADA/FEHA disability interactive process to confirm there is a medical need for accommodation and to seek alternative accommodations
 - IP must be consistently applied
 - IP must be documented

Let me show you how to do this!



Is Remote Work Medically Needed, or are there Alternative Accommodations Available?



**Remote Work Evaluation:
Medical Need**

Is Working In-Person / Teaching In-Person Medically Restricted?

- Remote work is an accommodation. Employers must demand health care providers list the underlining **work restrictions / functional limitations** that the health care provider and/or employee, believe are best accommodated with a remote work assignment.
 - 2 Cal. Code Regs., tit. 2 § 11069(d)
- You obtain this listing through Step #1/Door # 1 of the ADA/FEHA Disability Interactive Process



Employee/Applicant Obligation

Employee / Applicant Obligation to Provide Reasonable Medical Documentation

2 Cal. Code Regs., tit. 2 § 11069(d)

- (d) Obligations of Applicant or Employee. The applicant or employee shall cooperate in good faith with the employer or other covered entity, including **providing reasonable medical documentation** where the disability or the need for accommodation is not obvious and is requested by the employer or other covered entity, as follows:
 - (1) Reasonable medical documentation **confirms the existence of the disability and the need for reasonable accommodation**. Where necessary to advance the interactive process, reasonable medical documentation may include a description of **physical or mental limitations** that affect a major life activity that must be met to accommodate the employee. Disclosure of the nature of the disability is not required.

Note: California Confidentiality of Medical Information Act / HIPAA



Remote Work Evaluation: Medical Need

Is Working In-Person / Teaching In-Person Medically Restricted?


- Establish Your Consistent Process:
 - Will you utilize a **Fitness for Duty Examination**?
 - For all employees requesting to work fully remote for more than 1-year?
 - Only when you have objective and spoken concerns that the request is not legitimate and/or if the questionnaire is not returned?
 - Establish your steps at the front end of the interactive process and communicate this
 - You may have fewer requests due to this
 - You will not have any surprises when/if this step is used later in the Hallway

ADA/FEHA
Obligations

Statutory Obligation # 1:
Provide a timely good-faith interactive process

Recommendation/Consideration:

- Only start when medical documentation has been received. Not for verbal requests.







Disability Interactive Process Hallway®

Door #1

Gather Data: Obtain Clear Medical Work Restrictions; May determine an Essential Functions Position Analysis® (EFPA®) document needs to be created

Door #2

Research Accommodations: Call/email/discuss with employee and supervisor the restrictions and begin exploring accommodation ideas

Door #3

Schedule, Prepare & Meet: Schedule meeting and invite the right people to attend; confirm attendance in advance; prepare notes for meeting; meet and make decisions

Door #4

Do What You Said You Would Do: After meeting, implement decisions; do what was decided

All the Doors are
Important

But...

Door #1 is the Key to Managing Remote Work Accommodation Requests



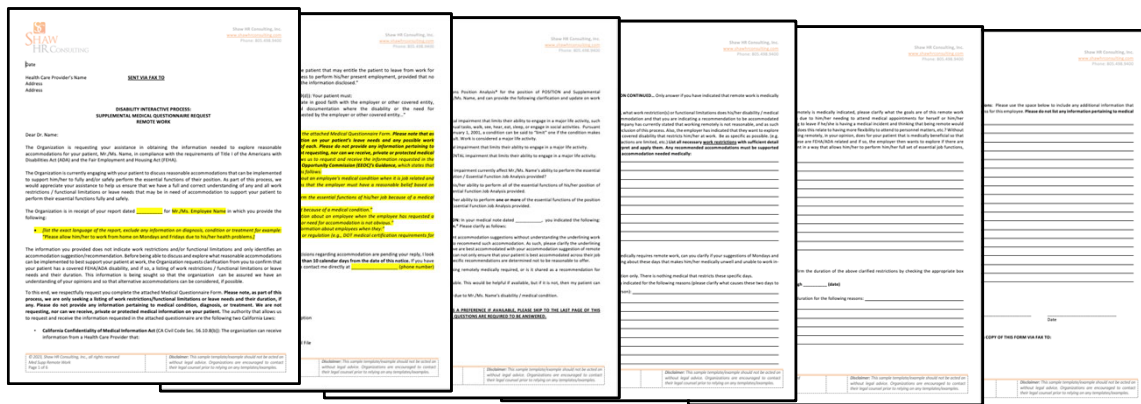
The Hallway: Door #1



- Obtaining medical clarification for remote work requests can take time
- You will need to gather information and customize every questionnaire to ensure you are maximizing your chances of finding alternative accommodations
- You may need to send more than one medical questionnaire to get the clarity you need
 - e.g., if the medical questionnaire comes back and request is related to driving, need to be near a bathroom, exposure to viruses – you'll likely need more data, and your follow up questions will be different




- ✓ Remote Work Medical Questionnaire - Generic (**Sample 4**)
- ✓ Remote Work Medical Questionnaire – Faculty Example (**Sample 5**)
- ✓ Driving Restrictions/Commute Medical Questionnaire (**Sample 6**)



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The Hallway: Door #1

The information you provided does not indicate work restrictions and/or functional limitations and only identifies an accommodation suggestion/recommendation. Before being able to discuss and explore what reasonable accommodations can be implemented to best support your patient at work, the Organization requests clarification from you to confirm that your patient has a covered FEHA/ADA disability, and if so, a listing of work restrictions / functional limitations or leave needs and their duration. This information is being sought so that the organization can be assured we have an understanding of your opinions and so that alternative accommodations can be considered, if possible.

DISABILITY INTERVIEW PREPARED BY: [Name]

DATE: [Date]

THE ORGANIZATION IS REQUESTING YOUR ASSISTANCE IN OBTAINING THE INFORMATION NEEDED TO MAKE REASONABLE ACCOMMODATIONS FOR YOUR PATIENT. PLEASE PROVIDE THE FOLLOWING INFORMATION TO THE ORGANIZATION AND RETURN TO THE ORGANIZATION BY THE DATE SPECIFIED.

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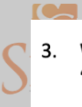
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The Hallway: Door #1

3. **WORK FROM HOME ACCOMMODATION SUGGESTION:** In your medical note dated _____, you indicated the following: "Recommend remote work due to medical condition." Please clarify as follows:

Please note that Organization is not able to implement accommodation suggestions without understanding the underlying work restrictions or functional limitations that cause you to recommend such accommodation. As such, please clarify the underlying work restrictions or function limitation that you believe are best accommodated with your accommodation suggestion of remote work. By providing this clarification the Organization can not only ensure that your patient is best accommodated across their job tasks, but we can also seek out alternatives if your specific recommendations are determined not to be reasonable to offer.

a. Is your note being shared to indicate that working remotely medically required, or is it shared as a recommendation for consideration and if available?

☐ Working remotely is a PREFERENCE if available. This would be helpful if available, but if it is not, then my patient can work in-person.

☐ Working remotely is MEDICALLY INDICATED due to Mr./Ms. Name's disability / medical condition.

DISABILITY INTERVIEW PREPARED BY: [Name]

DATE: [Date]

THE ORGANIZATION IS REQUESTING YOUR ASSISTANCE IN OBTAINING THE INFORMATION NEEDED TO MAKE REASONABLE ACCOMMODATIONS FOR YOUR PATIENT. PLEASE PROVIDE THE FOLLOWING INFORMATION TO THE ORGANIZATION AND RETURN TO THE ORGANIZATION BY THE DATE SPECIFIED.

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WORK FROM HOME ACCOMMODATION SUGGESTION CONTINUED... Only answer if you have indicated that remote work is medically indicated:

b. If working from home is medically indicated, what work restriction(s) or functional limitations does his/her disability / medical condition produce that are in need of accommodation and that you are indicating a recommendation to be accommodated with remote work? Please note that the company has currently stated that working remotely is not reasonable, and as such it may not be available to him/her at the conclusion of this process. Also, the employer has indicated that they want to explore and implement alternatives if he/she has a covered disability that restricts him/her at work. Be as specific as possible. (e.g. listing activities, environments and/or interactions are limited, etc.) **List all necessary work restrictions with sufficient detail so all parties will understand how to interpret and apply them. Any recommended accommodations must be supported with clear work restrictions that make the accommodation needed medically:**

c. If you have indicated that Mr./Ms. Name medically requires remote work, can you clarify if your suggestions of Mondays and Fridays are a suggestion or is there something about these days that makes him/her medically unwell and unable to work in-person?

☐ The Mondays and Fridays are a suggestion only. There is nothing medical that restricts these specific days.

☐ The Mondays and Fridays are medically indicated for the following reasons (please clarify what causes these two days to be the ones that he/she cannot work in-person):

d. If you have indicated that working remotely is medically indicated, please clarify what the goals are of this remote work accommodation. For example, is this due to him/her needing to attend medical appointments for herself or him/her dependents; or due to him/her needing to leave if he/she is having a medical incident and thinking that being remote would be best for him/her in this situation; or does this relate to having more flexibility to attend to personnel matters, etc.? Without providing PHI, please clarify what working remotely, in your opinion, does for your patient that is medically beneficial so that the employer can first determine if these are FEHA/ADA related and if so, the employer then wants to explore if there are alternative ways to support your patient in a way that allows him/her to perform him/her full set of essential job functions, but also perform work in-person.

4. **DURATION OF RESTRICTIONS:** Please confirm the duration of the above clarified restrictions by checking the appropriate box below:

☐ Restrictions are **TEMPORARY** through _____ (date)

☐ Restrictions are **PERMANENT**

☐ Restrictions are for an **UNKNOWN** duration for the following reasons:



The Hallway: Door #1




- Describe the specific workspace of the employee when working in-person
- Include pictures and diagrams
- Provide accommodation ideas that you can, or are willing to implement to support the employee to return to the physical workplace



Sample Faculty Medical Questionnaire

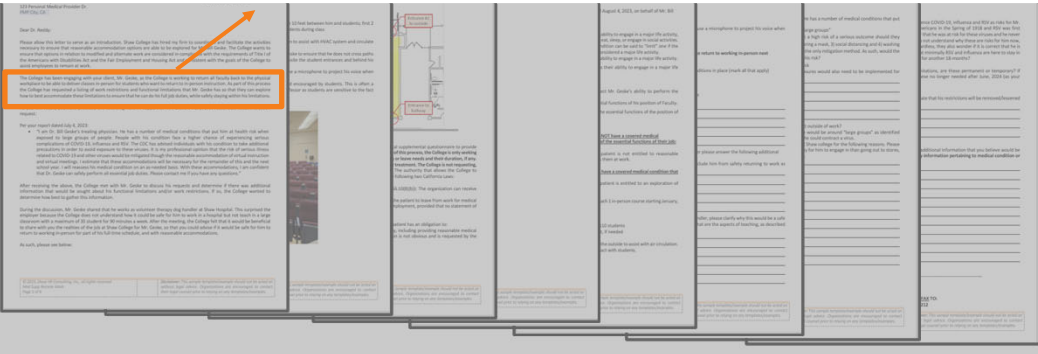
Sample 5 – Faculty Example of customized Remote Work medical questionnaire (Sample 4)


[illegible]



Sample Faculty Medical Questionnaire

The College has been engaging with your client, Mr. Geske, as the College is working to return all faculty back to the physical workplace to be able to deliver classes in-person for students who want to return to in-person instruction. As part of this process the College has requested a listing of work restrictions and functional limitations that Mr. Geske has so that they can explore how to best accommodate these limitations to ensure that he can do his full job duties, while safely staying within his limitations.

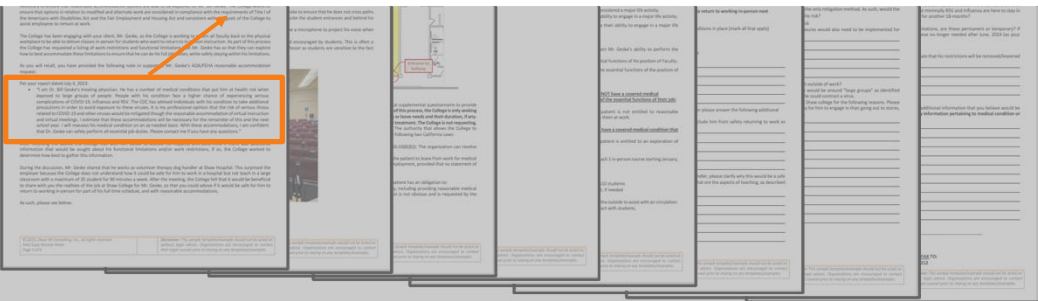




Sample Faculty Medical Questionnaire

Per your report dated July 4, 2023:


- “I am Dr. Bill Geske’s treating physician. He has a number of medical conditions that put him at health risk when exposed to large groups of people. People with his condition face a higher chance of experiencing serious complications of COVID-19, influenza and RSV. The CDC has advised individuals with his condition to take additional precautions in order to avoid exposure to these viruses. It is my professional opinion that the risk of serious illness related to COVID-19 and other viruses would be mitigated though the reasonable accommodation of virtual instruction and virtual meetings. I estimate that these accommodations will be necessary for the remainder of this and the next school year. I will reassess his medical condition on an as-needed basis. With these accommodations, I am confident that Dr. Geske can safely perform all essential job duties. Please contact me if you have any questions.”



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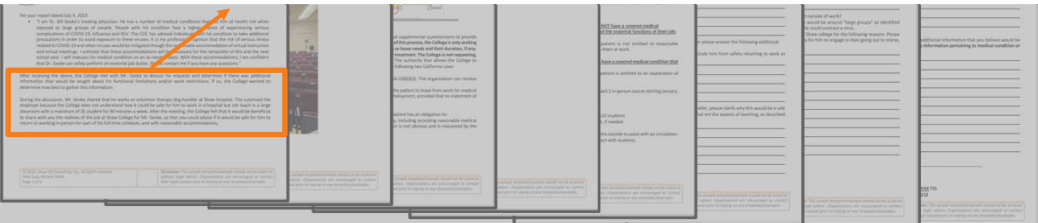
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Sample Faculty Medical Questionnaire

After receiving the above, the College met with Mr. Geske to discuss his requests and determine if there was additional information that would be sought about his functional limitations and/or work restrictions. If so, the College wanted to determine how best to gather this information.

During the discussion, Mr. Geske shared that he works as volunteer therapy dog handler at Shaw Hospital. This surprised the employer because the College does not understand how it could be safe for him to work in a hospital but not teach in a large classroom with a maximum of 35 student for 90 minutes a week. After the meeting, the College felt that it would be beneficial to share with you the realities of the job at Shaw College for Mr. Geske, so that you could advise if it would be safe for him to return to working in-person for part of his full-time schedule, and with reasonable accommodations.



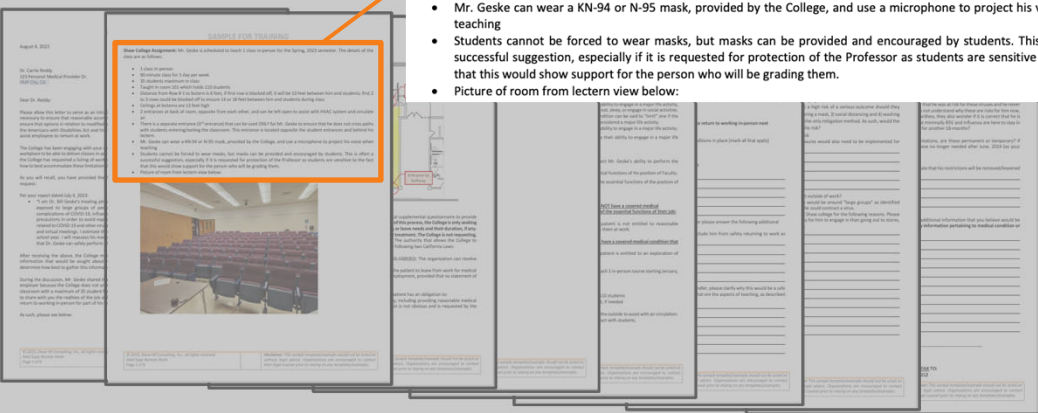


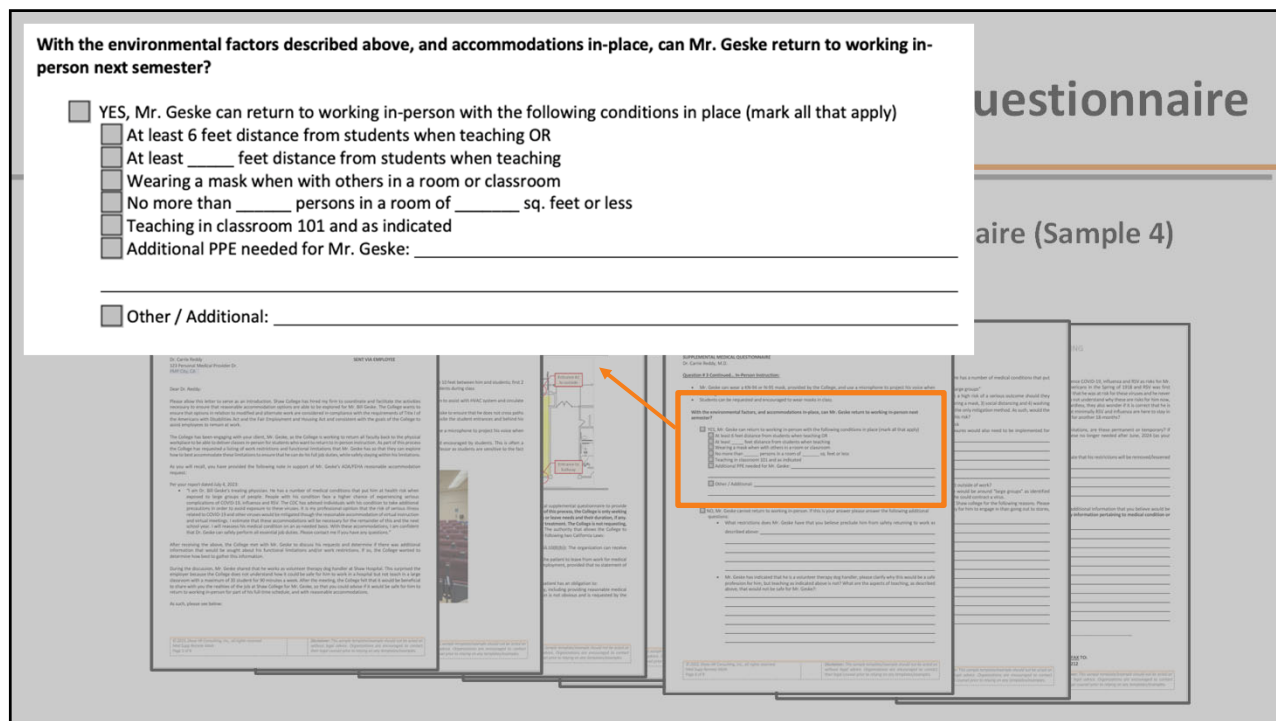
Sample

Sample 5 - Example of customized R

Shaw College Assignment: Mr. Geske is scheduled to teach 1 class in-person for the Spring, 2023 semester. The details of the class are as follows:

- 1 class in-person
- 90-minute class for 1 day per week
- 35 students maximum in class
- Taught in room 101 which holds 110 students
- Distance from Row # 1 to lectern is 6 feet, if first row is blocked off, it will be 10 feet between him and students; first 2 to 3 rows could be blocked off to ensure 14 or 18 feet between him and students during class
- Ceilings at lecterns are 13 feet high
- 2 entrances at back of room, opposite from each other, and can be left open to assist with HVAC system and circulate air
- There is a separate entrance (3rd entrance) that can be used ONLY for Mr. Geske to ensure that he does not cross paths with students entering/exiting the classroom. This entrance is located opposite the student entrances and behind his lectern.
- Mr. Geske can wear a KN-94 or N-95 mask, provided by the College, and use a microphone to project his voice when teaching
- Students cannot be forced to wear masks, but masks can be provided and encouraged by students. This is often a successful suggestion, especially if it is requested for protection of the Professor as students are sensitive to the fact that this would show support for the person who will be grading them.
- Picture of room from lectern view below:





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☐ NO, Mr. Geske cannot return to working in-person. If this is your answer please answer the following additional questions:

- What restrictions does Mr. Geske have that you believe preclude him from safely returning to work as described above: _____
- Mr. Geske has indicated that he is a volunteer therapy dog handler, please clarify why this would be a safe profession for him, but teaching as indicated above is not? What are the aspects of teaching, as described above, that would not be safe for Mr. Geske?: _____

Medical Questionnaire (Sample 4)

4. **LARGE GROUPS OF PEOPLE:** In your report dated July 4, 2023, you state: "He has a number of medical conditions that put him at health risk when exposed to large groups of people." Please clarify:

a. What is "large groups"? Answer: _____ people constitute "large groups"

b. The CDC lists precautions that can protect a person who is at a high risk of a serious outcome should they contract COVID-19. These include: 1) getting vaccinated, 2) wearing a mask, 3) social distancing and 4) washing hands thoroughly. The CDC does not list isolation of persons as the only mitigation method. As such, would the above be sufficient, if implemented for Mr. Geske, to mitigate his risk?

☐ YES, the above, if implemented would mitigate his higher risk

☐ NO, the above is insufficient, the following additional measures would also need to be implemented for him: _____

c. Have you advised Mr. Geske that he cannot have public contact outside of work?

☐ YES, Mr. Geske is not to engage in any activities where he would be around "large groups" as identified above, and where he would be in contact with persons where he could contract a virus.

☐ NO, Mr. Geske has not been restricted outside of his job at Shaw college for the following reasons. Please clarify what you believe exists at Shaw College that is more risky for him to engage in than going out to stores, restaurants, attending meetings or engaging in social activities: _____

☐ Additional Information: _____

Medical Questionnaire (Sample 4)



The Hallway: Door #1



Post Door # 1 Evaluation:

- If the questionnaire/Fitness for Duty report comes back and employee is determined **not to be disabled** or in need of workplace accommodations then,
 - **Close down** the interactive process with a meeting or a conversation and letter
- If you never got the questionnaire back from the employee's personal medical provider, and the employee's original note just said "recommend remote work" or something similar then,
 - **Close down** the interactive process with a meeting or a conversation and letter
- If the questionnaire/Fitness for Duty report comes back and the employee is determined **to be disabled** and in need of workplace accommodations, (in person or remotely), continue in the Interactive Process Hallway
 - **Go to Door/Step # 2**



Disability Interactive Process Hallway®

- Door #1** **Gather Data:** Obtain Clear Medical Work Restrictions; May determine an Essential Functions Position Analysis® (EFPA®) document needs to be created
- Door #2** **Research Accommodations:** Call/email/discuss with employee and supervisor the restrictions and begin exploring accommodation ideas
- Door #3** **Schedule Prepare & Hold Meeting:** Schedule meeting and invite the right people to attend; confirm attendance in advance; prepare notes for meeting; meet and make decisions
- Door #4** **Do What You Said You Would Do:** After meeting, implement decisions; do what was said would be done



The Hallway: Door #2



Engage, Interact and Explore Together

- Ensure applicant/employee is aware of what was determined by the doctor/health care provider
- Talking and/or informal meeting with applicant/employee to ensure they understand the opinions and are prepared for the possible outcomes at their interactive process meeting
- Seek applicant/employee opinions and interests
 - Research ideas of employee/applicant, department or organization before interactive process meeting
- Update the Supervisor/Manager as to the outcome of Door # 1
- Consult with professionals in the field for assistance to identify reasonable accommodation options
- Make sure that your leadership and counsel are on the same page as HR – either in allowing long-term remote work, implementing alternatives you have discovered, or denying the accommodation and starting alternative work, leave and possible medical separation.
- No Decisions, but research options and make sure all parties are aware.



Door # 2 Research

Conducting Door # 2 Work Regarding “In-Person” Duties

- Bring to this evaluation your prior work to determine if all essential functions of the job can be performed remotely
- If no alternative accommodation to fully remote work are found after Door # 1 (questionnaire and possible FFD),
 - Is a fully remote accommodation reasonable? If so, you will have to implement it.
 - If this accommodation is not reasonable, make sure that the highest levels of leadership and your attorney are aware and in agreement of the next steps of the process
 - Will not remove essential job functions
 - When does the employee convert to a full-time leave
 - Alternative work exploration starting
 - Medical Separation (Faculty) or 39-month list (Classified) if no placement is available and employee does not voluntarily resign/retire



Disability Interactive Process Hallway®

Door #1

Gather Data: Obtain Clear Medical Work Restrictions; May determine an Essential Functions Position Analysis® (EFPA®) document needs to be created

Door #2

Research Accommodations: Call/email/discuss with employee and supervisor the restrictions and begin exploring accommodation ideas

Door #3

Schedule Prepare & Hold Meeting: Schedule meeting and invite the right people to attend; confirm attendance in advance; prepare notes for meeting; meet and make decisions

Door #4

Do What You Said You Would Do: After meeting, implement decisions; do what was said would be done



Scheduling the IPM



Schedule Interactive Process Meeting / Have the Right People Involved in Decisions:

(Sample 7)

- Long-Term decisions:
 - Human Resources
 - Workers' Compensation / Risk Management (optional)
 - Employee's Manager / Supervisor
 - Employee
 - Employee Representative of choice
 - Facilitator & Note Taker



The Hallway: Door #3



At the INTERACTIVE PROCESS MEETING, TAKE NOTES. Notes should include (Sample 8 and 9):

- Purpose of meeting / Reason for Meeting
- Documents relied on (EFPA, Medicals)
- Summaries of discussions between all parties relating to:
 - Modified work
 - Extended leave of absence
 - Alternate work
- Summarize outcomes/decisions or next steps
- Signatures of all attending parties on IPM Notes



Door #3 – Making Decisions at IPM

Factors in assessing reasonableness when considering remote as a reasonable accommodation

- Can they perform their full assignment remotely?
 - It does not matter if your leadership does not like or prefer remote work, this is an evaluation of what is legally reasonable
 - Are you holding ALL employees in the classification / job type to the same standard? Are non-disabled persons getting more benefits of employment than disabled employees?
- Is there sufficient staff that can support a division of labor that supports all the Department/Division work to get done with some employees working fully remote?
 - Not everyone has to do everything the same, if there are sufficient persons to do the work without impact, you can follow a “first come, first serve” model. The law is NOT “what you do for one, you must do for all.”
 - Ex.: 8 people that cover the front desk, are there options to have the front desk covered by the remaining 7 with little to no impact to the operations of the office?
 - Do you have a highly remote division where many employees already do all courses remotely? Can you prioritize the disabled over the non-disabled to ensure that the disabled person has the assignment they need?
 - You can revisit the accommodation if course availability changes or workload demands/staffing change and make the accommodation no longer reasonable.



Door #3 – Making Decisions at IPM

Factors in assessing reasonableness when considering remote as a reasonable accommodation

- Are there other employees working fully remote in the same classification? If they can, why not this disabled person?
 - Disabled employees have MORE rights to an accommodated/modified schedule or assignment than non-disabled persons do
- If there are essential functions that cannot be performed remotely, these need to be shared verbally, and documented in the meeting notes. Employee responses listened to and responded to during the meeting.
 - You need to share these and listen to the employee or their union to ensure that you are right
- Does your organization have limits on out of state work, regardless of remote work accommodation reasonableness?
 - Workers' compensation / payroll taxes, medical benefits, etc.



Disability Interactive Process Hallway®

Door #1

Gather Data: Obtain Clear Medical Work Restrictions; May determine an Essential Functions Position Analysis® (EFPA®) document needs to be created

Door #2

Research Accommodations: Call/email/discuss with employee and supervisor the restrictions and begin exploring accommodation ideas

Door #3

Schedule Prepare & Hold Meeting: Schedule meeting and invite the right people to attend; confirm attendance in advance; prepare notes for meeting; meet and make decisions

Door #4

Do What You Said You Would Do: After meeting, implement decisions; do what was said would be done



The Hallway: Door #4



Post-Meeting Activities / Close Process Correctly

- Place all documents in the employee's accommodations file
 - Process Letters (Summaries of events, meeting invites)
 - Meeting Notes
- Complete Post Meeting Agreements
 - Inform others that need to know of a result
 - Complete post meeting forms, letters, etc.
- Implement the Next Steps of the Interactive Process
 - Implement Reasonable Accommodations
 - Submit retirement or disability paperwork
 - Evaluate alternative work placement
 - Proceed with medical separation, etc.



In Closing...

1. **Open the Closets:** Know if you even can say NO, by researching the realities of who is working/has been working fully remote and why. If others have been allowed to work fully remote, you likely cannot have a blanket NO utilized to evaluate requests.
2. **Develop Your Process:** Identify from the start: 1) How long will you allow remote work BEFORE you start the long-term disability interactive process? 2) How will you utilize the Fitness for Duty tool?
3. **Consistently Apply it:** Once you commit to # 2 above, you need to be consistent in applying it.
4. **Document it:** Document everything

The above will ensure you make **good decisions organizationally and** find as many alternative accommodations as possible to best support your students and your campuses.


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