



## **Employee Reasonable Accommodation Request**

**Metro Government<sup>1</sup> is compliant with the Americans with Disabilities Act (ADA) and all other applicable employment laws.**

### FAQs<sup>2</sup> for Supervisors

1. How do I respond when an employee requests an accommodation?
  - a. Discuss with to your department's HR representative or EEOC Coordinator on how to address. Do not request medical details yourself. Maintain confidentiality and take prompt action.
2. Do I have to accept all accommodation request?
  - a. No. Accommodations must be reasonable and must not impose undue hardship. If you believe the accommodation is not feasible, work with your department's HR to assess alternatives and ensure the process is legally compliant.

While not all accommodation requests are appropriate, you must engage in the interactive process and give care to considerations to all requests. Do not immediately dismiss a request because it initially does not seem feasible.

In addition, you must evaluate any alternative accommodations that will be safe and effective for this employee. One resource to assist in determining appropriate accommodations is the [Job Accommodation Network](#) website.

3. What if granting the accommodation creates a hardship for the department?
  - a. An accommodation can be denied if it causes significant difficulty or expense. This determination is made collaboratively with your department's HR and must be thoroughly documented.

To use the undue hardship clause as a reason for denial, you will need to evaluate and document the specific expenses and actions created by the proposed accommodation.

4. Can I discipline an employee for performance issues if they've requested an accommodation?
  - a. Yes, but only if the performance issues are unrelated to the disability or persist after a reasonable accommodation has been provided.

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<sup>1</sup> Any mention of "Metro" or "Metropolitan Government" within this document refers to Metropolitan Government of Nashville and Davidson County.

<sup>2</sup> This document is to provide general information on ADA. As laws (or precedented litigations) can be adjusted at any point, current laws will be followed.

5. My employee is pregnant (or planning on becoming pregnant), do I have to accommodate them?
  - a. Not under ADA, however yes under the Pregnant Worker Fairness Act (PWFA). The PWFA protects “pregnancy, childbirth, or related medical conditions” and has a very broad definition, which includes:
    - current, past, and potential pregnancy;
    - infertility and fertility treatment;
    - the use of contraception;
    - termination of pregnancy – including via miscarriage, stillbirth, or abortion; pregnancy-related sicknesses, ranging from nausea or vomiting to edema, from preeclampsia to carpal tunnel syndrome, and many other pregnancy-related conditions;
    - lactation and issues associated with lactation; and
    - menstruation.
6. What if the disability is short term, can they just take FMLA or short-term disability?
  - a. This is true, if that is the request of the employee. However, a leave of absence should not be the first solution assessed.
7. Who do I contact if I am unsure how to proceed with an accommodation request?
  - a. Contact your department’s HR representative or EEOC Coordinator. They will guide you through the process.

In addition, review [Civil Service Policy 3.1-II](#) for more information. Not only is this the requirement for the Civil Service departments, but it is also a good resources for non-Civil Service departments.