



Responding to Employee Accommodation Requests for Stress, Depression, and Anxiety

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Presenters



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Agenda

1. Relevancy and Applicable Laws
2. Recognizing a Duty to Respond
3. Responding to Leave Requests
4. Responding to Accommodation Requests
5. Direct Threats
6. Medical Evaluations
7. Holding Employees Accountable
8. Key Strategies and Takeaways

Relevancy and Applicable Laws

- Trends and statistics
 - Mental health versus physical health
 - Across all industries
- Applicable Laws
 - ADA
 - FMLA

Recognizing a Duty to Respond

- Is this a disability?
- What types of incidents trigger a response?

Responding to Leave Requests

- What law applies?
- Intermittent leave
- Long term leave

Responding to Accommodation Requests

- Evaluating potential accommodations
- Responding to unreasonable accommodations

Direct Threats

- Individualized assessment
- Factors: duration, nature/severity, likelihood of harm, timing of potential harm

Medical Evaluations

- Fitness for duty examinations
- Second opinions
- Confidentiality
- Return to work

Holding Employees Accountable

- Discipline
- Fraudulent requests

Key Strategies and Takeaways

1. Preventative measures
2. Job descriptions
3. Training
4. Policies
5. Procedures
6. Interactive process
7. Consistency and tracking
8. Document everything
9. Involve legal

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