

# Reasonable Accommodations for Employees with Disabilities

- Required by federal ADA and NYS Human Rights Law
- Employee still must be able to perform primary job functions
- Law not changed by COVID-19 Pandemic, but certainly has added complexity to it
- Definition of disability under each statute very broad
- Reasonableness of accommodation often comes down to its cost
- Resentment or jealousy of co-workers regarding accommodation may not be considered
- Unpaid time off often a required reasonable accommodation

# Assisting Employees with Child Care Issues

- Most of the time, not a legal issue (same with transportation, general schedule issues)
- However, being a parent is a protective class so care must be taken not to discriminate
- Also, for an ill child, NY Paid Family Leave of up to 10 weeks at 60% of salary (to a cap of \$840/week) may be available and it increases to 12 weeks/67%/\$971.61 in 2021
- Finally, for schools or daycare facilities closed for COVID-19 related reasons, many employees will be entitled to 12 weeks of leave at 67% pay under the federal COVID-19 Law ("FFCRA")