

Fact Sheet – Diabetes and Reasonable Accommodations

1. What are reasonable accommodations?

Reasonable accommodations are changes or adjustments to a job or work environment. They allow qualified applicants or employees with disabilities to participate in the application process or to perform essential job functions. They can also make sure qualified individuals with disabilities have the same rights and privileges in employment as employees without disabilities.

In plain English, these are changes that help people with disabilities compete for a wide range of jobs, excel in their work, and be treated fairly. Most people with diabetes only need minor changes that can be provided at little or no cost to their employers. By implementing these reasonable accommodations, it is often possible to overcome misunderstandings, fears, and stereotypes about diabetes.

2. What are some examples of reasonable accommodations for individuals with diabetes?

- Breaks to check blood glucose levels, eat a snack, take medication, or go to the bathroom
- A place to rest until blood sugar levels become normal
- The ability to keep diabetes supplies and food nearby
- A private area to test blood glucose or administer insulin (if requested by employee)
- Leave for treatment, recuperation, or training on managing diabetes
- The opportunity to work a modified work schedule or to work a standard shift as opposed to a swing shift
- For individuals with diabetic neuropathy (a nerve disorder caused by diabetes), permission to use a chair or stool
- For individuals with diabetic retinopathy (a vision disorder caused by diabetes), large screen computer monitors or other assistive devices

3. How can I get reasonable accommodations?

Consider making a written request for accommodations. The American Diabetes Association provides a sample letter for this request at main.diabetes.org/dorg/PDFs/Advocacy/Discrimination/sample-request-for-accommodations.pdf. Once you have made a request for accommodations, your employer is required to sit down and talk with you about what you need and what your employer can provide. In technical terms, this conversation is sometimes called the “flexible interactive process.” Many individuals with diabetes are able to successfully negotiate reasonable accommodations with their employers. However, some employees may need to make a complaint or proceed to court in order to get these accommodations.

4. What laws give me the right to ask for request reasonable accommodations?

The Americans with Disabilities Act (ADA) prohibits discrimination in employment against qualified individuals with disabilities. This law applies to private employers, unions, and employment agencies with 15 or more employees and to state and local governments of any size. It does not apply to employees of the federal government.

The Rehabilitation Act of 1973 protects employees of the federal government (almost exclusively those in the executive branch). **The Congressional Accountability Act** protects employees of the Legislative Branch of the federal government.

For more information on these laws in general, go to diabetes.org/living-with-diabetes/know-your-rights/discrimination/employment-discrimination/your-rights-on-the-job.html. State and local laws may provide additional protections.

5. What are some general tips for requesting accommodations?

- Read your employee handbook to see if your employer already has an accommodations request procedure or a non-discrimination policy. The employer may have an established a process you should use.
- Consider making a written request. While not required, a written request provides helpful clarity to employers and documents your efforts should legal action become necessary in the future.
- Be specific. Explain exactly what accommodations you need and why they will assist you in doing your job.
- Consider providing documentation from your doctor in your initial request. You can facilitate the process of getting accommodations in this way. However, your doctor only needs to provide information related to your requested accommodation; your doctor should not disclose additional medical information.
- Keep a detailed record of all of your communication with your employer, including copies of all correspondence and notes of any conversations you have had.
- Educate. Many employers are unfamiliar with diabetes and the Americans with Disabilities Act. Consider sharing information from the American Diabetes Association and the Equal Employment Opportunity Commission with them.
- Negotiate. Be willing to work with your employer to identify potential accommodations and discuss what will/will not work. Consider proposing a trial period so your employer can get a better sense of how a specific accommodation will work.

6. Do I need to provide my employer with all of my medical records or allow my employer to speak with my doctor?

No. If you request reasonable accommodations, you must provide sufficient documentation to establish your disability and your need for accommodations, but you need not provide additional information. There are strict limits on what information your employer is permitted to request from your doctor.

Your doctor should not communicate with your employer without your permission. It is best for your doctor to communicate only in writing rather than speaking with your employer. This can help to minimize the disclosure of information not directly related to your accommodations request.

“Questions and Answers: Enforcement Guidance on Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (ADA),” provides additional information on this issue. This publication from the Equal Employment Opportunity Commission (EEOC) is available at www.eeoc.gov/policy/docs/guidance-inquiries.html.

7. What can I do if I need help getting reasonable accommodations?

If you think you are not being given the accommodations to which you are entitled, call 1-800-DIABETES (1-800-342-2383) for additional information and to learn how you can speak with one of the Association's Legal Advocates.

8. Where can I find additional information about reasonable accommodations?

See the American Diabetes Association's page on reasonable accommodations at: diabetes.org/jobaccommodations.

The EEOC provides materials and assistance to individuals and employers regarding rights and responsibilities under the Americans with Disabilities Act and the Rehabilitation Act: www.eeoc.gov/laws/types/disability.cfm.

The Job Accommodation Network (JAN), a project of the Office of Disability Employment Policy (ODEP), is a toll-free consulting service that provides information about job accommodations to assist in the hiring, retraining, retention, or advancement of persons with disabilities. JAN consultants provide information about accommodation methods, devices, and strategies and may be reached by calling 1-800-526-7234 or at askjan.org.

Important Note: This fact sheet describing the legal rights of individuals with diabetes is for your general information and review only, and is not to be construed as a substitute for the advice of legal counsel.