

# UNITED SPINAL<sup>NOW</sup>

## Access, Accommodation And COVID Safety

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**A** woman who had struggled with her large government employer for years, since the employer was reluctant to accommodate her disability on repeated occasions, told me a great COVID reopening story — because it has a happy ending.

This wheelchair-using on-site social worker had been working from home, but not nearly as effectively as she was on the job, because on the job, she had a paraprofessional to assist, essentially, to act as eyes and hands. She asked for a virtual paraprofessional to assist, and this large government agency immediately responded, since they had “work-from-home” requests from paraprofessionals, and it was a perfect match. Both employees are productive, one is still a clerical assistant, and one is a professional, both working remotely for their employer.

America’s instant familiarity and satisfaction with work-from-home options caused by COVID-related isolation has depressed the value of office space and impressed reluctant managers, who preferred in-person labor.

The Americans with Disabilities Act (ADA) requires covered employers to break down jobs into their essential functions and consider whether a person with a disability can perform essential functions with or without reasonable accommodation.

Attendance, which most managers would have considered to be an essential function of most jobs, has been rethought because of COVID. Jobs are being performed remotely, and because of communication technology, remote workers are now numerous and the “new normal.”

To state the obvious - not every job can be done remotely, but it is clear that people with disabilities have already benefitted from businesses’ new approach. Positions are being described as hybrids, i.e. part from home and part from an office.

Managers, in the process of parceling out work, are considering the functions of the jobs and determining which are essential. This process alone will cause employers to be more flexible about engaging applicants with disabilities who may not be able to be on-site every day.

United Spinal has been assisting the disability community and the organizations that represent them, and the business community, as COVID re-openings. Safety modifications in work spaces, public places and retail establishments, as well as accommodations requests from employees and customers multiply every week.

To assist in this effort, we have prepared a publication available for free online at <https://unitedspinal.org/reopening-business-in-a-covid-world/>.

The publication, *Reopening Your Business in a COVID World: Safeguarding Accessibility/ADA Compliance*, is a work-in-progress. We are interested in problems caused by COVID-related safety efforts that impede access. We are even more interested in finding out creative ways of ensuring access and virus safety. If you see instances of either, please take a photo and email it to me at [jweisman@unitedspinal.org](mailto:jweisman@unitedspinal.org).