

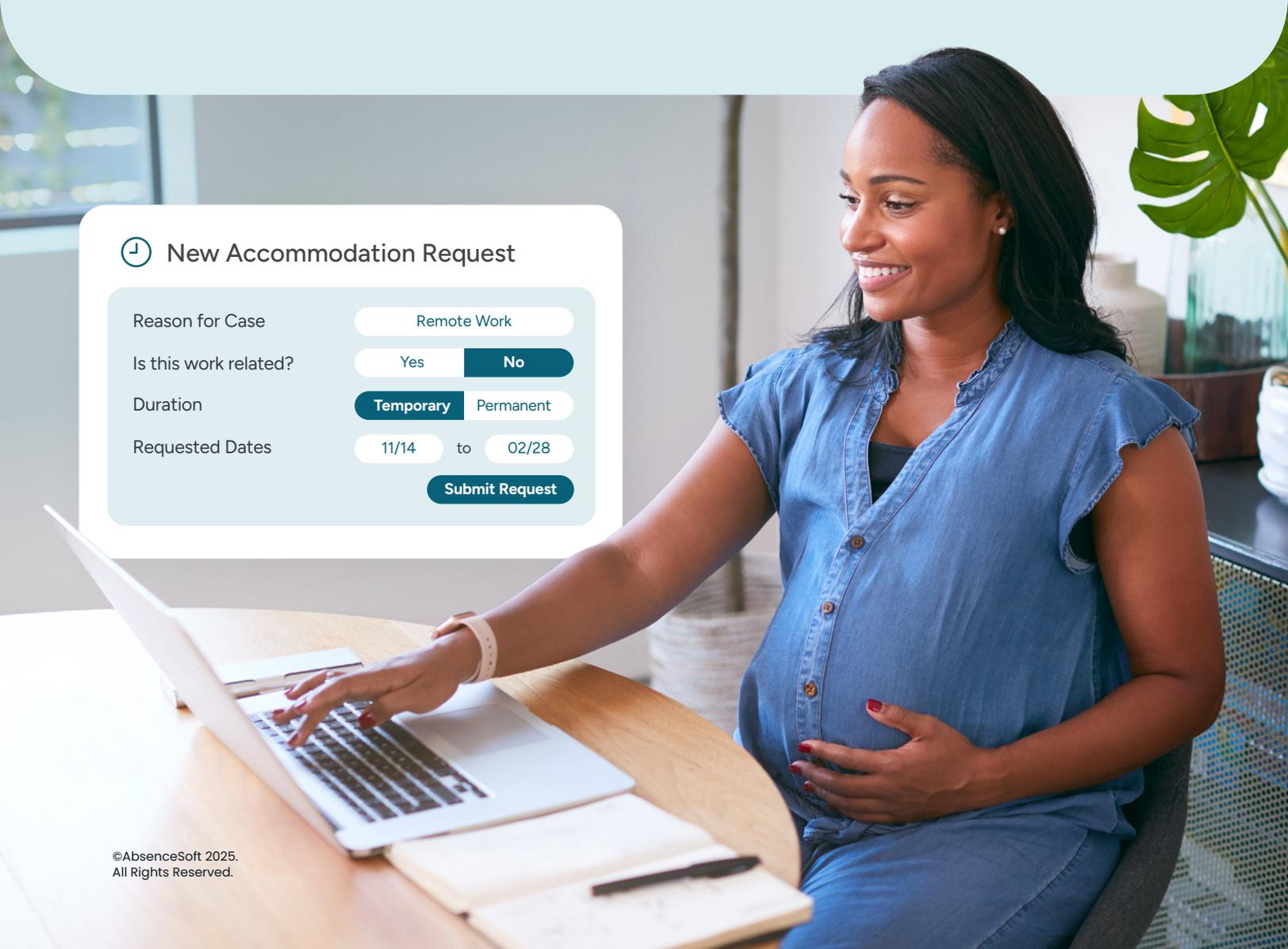


# The HR Leader's Guide to Modern ADA and PWFA Management

A Better Way to Handle Rising Requests, Reduce Risk, and Support Your People

## 🕒 New Accommodation Request

Reason for Case	<input type="text" value="Remote Work"/>
Is this work related?	<input type="radio" value="Yes"/> <input checked="" type="radio" value="No"/>
Duration	<input checked="" type="radio" value="Temporary"/> <input type="radio" value="Permanent"/>
Requested Dates	<input type="text" value="11/14"/> to <input type="text" value="02/28"/>
<input type="button" value="Submit Request"/>	

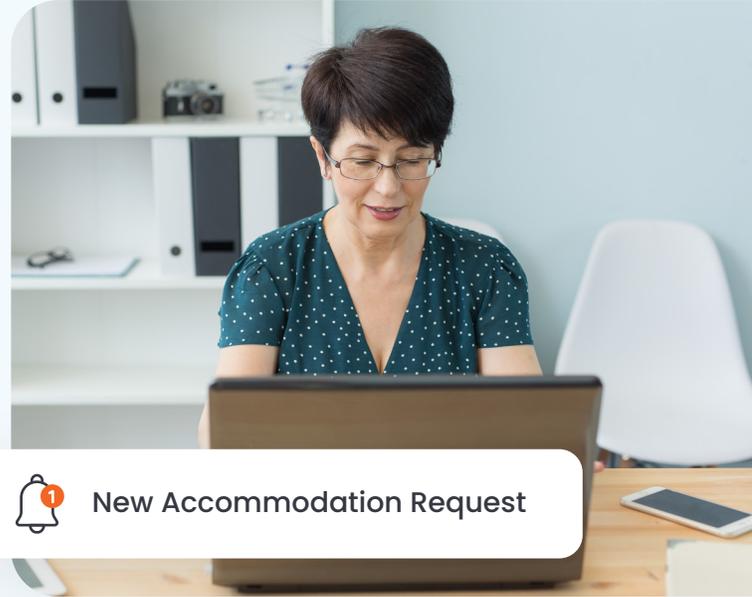


# The ADA, the PWFA, and Today's Accommodations Landscape

A decade or more ago, ADA requests were relatively rare. HR teams might handle a few ergonomic evaluations or lifting restrictions a year. But today, accommodations are coming in faster. They're also more complex and nuanced than ever before.

Requests related to mental health, neurodiversity, and chronic conditions are now among the most common. The impacts of COVID, combined with return-to-office (RTO) policies, have made remote work the top requested accommodation in 2024. HR teams across industries—healthcare, education, food service, manufacturing, and more—are seeing waves of new and complex cases.

The Pregnant Workers Fairness Act (PWFA) is now in effect, bringing with it nuanced, complex legal requirements. From mandating a swift response to requests, to covering a broad range of pregnancy-related conditions, to allowing for temporary job restructuring, the PWFA is a departure from the ADA in critically important ways. But the differences between the laws have become a source of both confusion and unintended compliance risks for HR.



The accommodations employees are requesting aren't often expensive to pay for, but they are complex in their implementation: additional breaks, schedule adjustments, remote work, and even intermittent time away. This can slow manual processes down, leaving HR with very little time to make the interactive process truly interactive.

In this guide, we'll look at actionable strategies for navigating the new landscape of workplace accommodations. We'll walk through the skills and tools you need to manage accommodations with empathy, clarity, and fairness — at scale.

# The Risks of an Overburdened Accommodations Program

The rapidly changing nature of accommodations, combined with a rising volume of requests, is leaving HR with manual systems that can't keep up with the pace, volume, or nuance of today's requests.

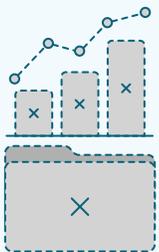
Yet many HR teams are still working with outdated processes and policies that can inhibit employee engagement, default to leave, or require employees to be "100% healed." All of this can leave HR teams in a bind, without the right processes, tools, and resources to meet a rapidly shifting landscape of legal requirements.

Overburdened HR teams relying on manual processes can easily lead to compliance risks, including:



## Slow response times

The EEOC requires HR to act promptly to respond to a request for an accommodation under the ADA. Under the PWFA, accommodations should be swift and easily provided.



## Lack of documentation and data

It's critical that HR document the interactive process, securely store medical records, and keep track of the start and end of accommodations to ensure fairness across the workforce, and have an audit trail in the case of a complaint.



## Cases falling through the cracks

When volumes are high, it's not hard for an overburdened team or manager to let a request slip by, or forget to follow up at some point. Unfortunately, this can be seen as not complying with the law, and possibly discriminatory.

In our recent State of Leave and Accommodations report, we reached out to employees who had requested an accommodation in the past two years. Many provided self-reports of their experiences, some of which highlighted active compliant risks for their employers.

To make matters worse, a poor accommodations experience can have a major impact on the workforce.

In a recent AbsenceSoft report, **66%** of employees who had a poor accommodations experience said they no longer felt supported by their employer, and **40%** said they started to look for a new job — or even quit.

Without a repeatable, documented process, or the right systems and technology, it becomes harder for HR to avoid risk and stay compliant. It's also a challenge to track progress or ensure fairness across teams and locations. If you're noticing gaps like missed follow-ups or inconsistent approvals, your current approach may be putting both people and compliance at risk.

"I was denied the accommodation and had to leave work on disability."

"They only offered me unpaid leave because they said they couldn't accommodate me."

"I didn't fight too hard about it because it's a temporary need. I asked for cushioned floor mats because it's hard for me to stand for long periods at this time because I am pregnant and in my 3rd trimester."

"My pay was cut and I lost my supervisor position after I requested an accommodation."

— Surveyed employees reporting a negative accommodations experience

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# The Four Must-Have Systems Behind a Scalable, Compliant Accommodations Program

The good news is that compliance is within reach for HR teams, even those at organizations with large, complex, and distributed workforces. We'll review the four key ways you can improve and modernize your ADA and PWFA processes with the right technology.

## 1 Intaking Requests

In a recent survey, we found that close to half of employees request accommodations from their managers, and not HR. Managers don't always know how to handle these requests compliantly. They might grant accommodations without tracking them or notifying HR, or deny them unfairly, which could lead to a discrimination complaint. That's why it is critical to create a streamlined accommodations intake process that is easily accessible across your workforce.

A centralized intake process works best when it includes a self-service portal. This gives employees a clear, discrete entry point that is accessible from any device, at any time. HR and managers get immediate visibility, and everyone knows exactly where the request is in the process is at any time. Even if employees contact HR directly, a centralized accommodations management platform allows a team member to open a case in seconds, prefilled with relevant employee information.

**New Accommodation Request**

Reason for Case: Ergonomic Assessment

Is this work related?: Yes  No

Duration: Temporary  Permanent

Requested Date: 05/22

**Submit Request**

**Accommodation Case Info**

Type: Ergonomic Assessment

Status: Open

Duration: Permanent as of 05/22

**ToDo Items**

- Send Accommodation Acknowledgement Letter
- Schedule Ergonomic Assessment

## 2 The Interactive Process

Both the ADA and the PWFA require an individualized, interactive process. With the PWFA, the process should be swift, and can even be informal, but still needs to be documented and recorded. With manual, ad hoc processes, that usually means email chains and spreadsheets. That makes it easy to miss a step if requests increase and overload HR teams.

Accommodations management technology can easily guide HR through every required action. That includes requesting documentation, evaluating options, and following up. If an accommodation doesn't work out, the process can quickly be restarted. This leaves HR with full record of the start and end of the process, what's been tried, and any communications with the employee, including text messages.

**Accommodation Interactive Process**

<input type="checkbox"/>	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
<input type="checkbox"/>	<input type="radio"/> Yes	<input checked="" type="radio"/> No	<input type="radio"/> N/A
<input type="checkbox"/>	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
<input type="checkbox"/>	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
<input type="checkbox"/>	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A

Send by:  Email  Text  Print/Mail  
To: Casey McKennon  
Subject: Mental Health Accommodation Request

Hi Casey,

Thank you for submitting your accommodation request regarding your recent mental health diagnosis. I appreciate your openness and I'd be glad to work together to explore effective solutions that support both your well-being and the needs of your role.

...



### 3 Communications and Paperwork

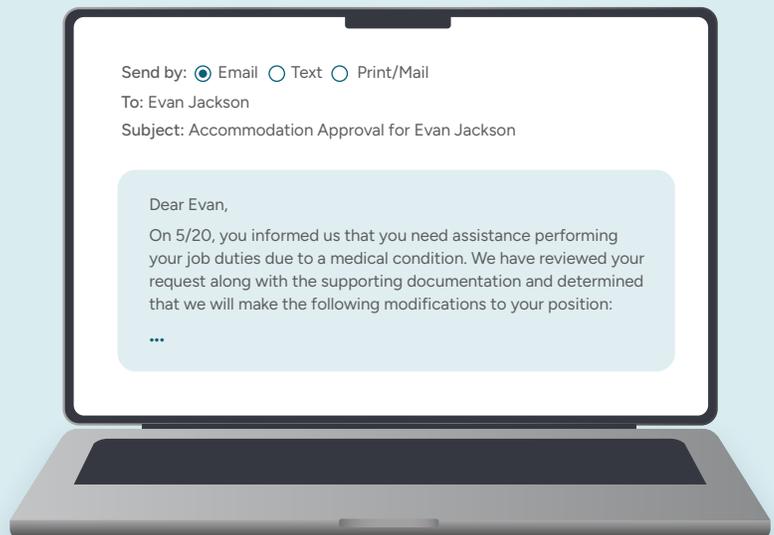
The core of a great employee accommodations experience is communication and clarity. But when HR is buried under paperwork and email chaos, this becomes a major challenge. Responses get delayed, forms must be found and attached to emails, documentation is hard to find and store.

When you incorporate an accommodations platform into your process, you can personalize pre-built templates that send the

right letters and forms at the right time. Text and email reminders can be sent out at scheduled times during the process. Forms can be customized and securely stored in a single case file. Employees can text back completed forms. Instead of chasing signatures or digging through email attachments, HR can focus on supporting employees and finding accommodations that minimize business impact and maximize employee productivity.

“Our team members love text messaging because a lot of them are very busy, and this feature allows them to text their documentation and it attaches to their case within AbsenceSoft.”

**Celeste Moreno**, Leave and Accommodations Specialist, Carvana



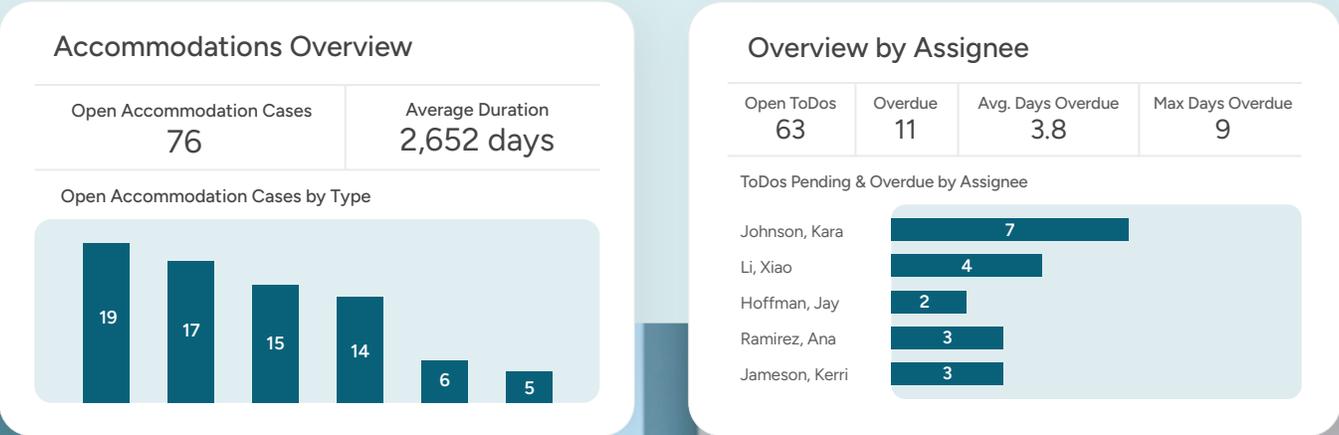
## 4 Data and Insights

Without real-time access to data, it's hard to know if accommodations are handled consistently across teams. But providing accommodations in a fair way, no matter how large the workforce, is key to staying compliant.

With an accommodations management platform, you gain real-time insights that include:

- ▶ The status of accommodation cases
- ▶ Cost associated with each accommodation
- ▶ The length of accommodations
- ▶ When an accommodation is due for a re-evaluation

These insights help HR make better decisions about their program. Program data from an accommodations platform can inform policies that can proactively address common requests. They can also help with better team management, case assignment, and more.



# The Business Impact of Getting It Right

Accommodations have a greater impact on work culture and morale than many realize. How an employee experiences the process shapes how they feel about your organization. When we surveyed employees who had recently requested an accommodation, we found that:



**68%** of employees with a positive accommodations experience said they felt valued and supported.



**60%** said they were more productive, and over half felt more motivated in their work.

A good accommodations experience is clear, respectful, and timely. The employee doesn't have to chase information or repeat themselves. HR and managers are supportive, and don't disclose personal details.



"My accommodation experience was not only hassle-free, it was made top priority. The process made me feel valued."

*– Employee reporting a positive accommodations experience*

But when things go poorly, the damage sticks. The same survey found that:



**40%** of employees with a bad experience started looking for another job.



**40%** no longer felt supported.



"It was a terrible process. The company dragged their feet and didn't follow through. I felt ignored."

*– Employee reporting a negative accommodations experience*

These outcomes aren't usually the result of bad intentions. They happen when HR doesn't have the time, tools, or visibility to manage the process well. The right system can help HR respond quickly, even with large workforces and high volumes of requests. With the right technology in place, HR can keep the experience on track for every employee, every time. That's not just good compliance — it's good business.

Ready to bring your ADA and PWFA processes into the future?  
Talk with a compliance expert at AbsenceSoft today.

Schedule a Demo