

Reasonable Accommodations for Disability: A State-by-State Survey

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Note: This chart is current as of July 2023. It only includes state statutes and not court rulings.

State	Overview Analysis	Reasonable Accommodations Analysis
Alabama	<p>Alabama doesn't have disability discrimination statutes or regulations that apply generally to private-sector employment.</p> <p>Covid-19 vaccine (effective Nov. 4, 2021, through May 1, 2023): For information about Covid-19 vaccine exemptions based on medical reasons, see "Medical Condition Discrimination" in Alabama Equal Employment Opportunity.</p>	<p>No state statutory or regulatory provisions apply generally to private-sector employment.</p> <p>Covid-19 vaccine (effective Nov. 4, 2021, through May 1, 2023): For information about Covid-19 vaccine exemptions based on medical reasons, see "Medical Condition Discrimination" in Alabama Equal Employment Opportunity.</p>
Alaska	<p>Employers can't discriminate based on physical or mental disability, unless a distinction on that basis is required by business necessity or a position's reasonable demands.</p>	<p>[Note: The Alaska Supreme Court has held that an employer's failure to reasonably accommodate an employee's disability can be considered disability discrimination under the fair employment practices law (<i>Moody-Herrera v. State, Dep't of Natural Resources</i>, 967 P.2d 79 (Alaska 1998)).]</p> <p>If a qualified employee with a disability seeks to use a service animal to perform the essential functions of his or her job, the employer must treat such a request as a request for reasonable accommodation and engage in an interactive process to determine if the accommodation is reasonable.</p> <p>Alaska Admin. Code tit. 6, § 30.610</p>

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Arizona	<p>Employers can't discriminate against applicants or employees with physical or mental disabilities who are capable of performing essential job duties with or without reasonable accommodation.</p>	<p>Employers must provide reasonable accommodations to applicants or employees who make their disabilities known and request accommodation. Employers aren't required to make any accommodation that would cause undue hardship to their business. Employers also aren't required to provide a reasonable accommodation or a reasonable modification of policies, practices, or procedures to employees who meet the disability definition solely because they are "regarded as" disabled.</p> <p><i>Reasonable accommodations</i> include job restructuring; part-time or modified work schedules; reassignment to a vacant position; acquiring or modifying equipment or devices; adjusting or modifying examinations, training materials, and policies; and providing qualified readers, taped texts, auxiliary aids and services, or interpreters.</p> <p><i>Reasonable accommodations</i> cause <i>undue hardship</i> if they require significant difficulty or expense in terms of the nature and cost of accommodations; affect facilities' overall financial resources and based on the size; number, type, and locations of facilities; the type of operations, including workforce composition, structure, and functions; and relationship of affected facilities.</p> <p>§§ 41-1405, 41-1461, 41-1463</p>
Arkansas	<p>Employers can't discriminate based on the presence of sensory, mental, or physical disabilities, unless their actions are based on legitimate, nondiscriminatory factors.</p>	<p>No state statutory or regulatory provisions apply generally to private-sector employment.</p>
California	<p>Employers can't discriminate based on physical or mental disability, unless a permissible defense applies. Employers must make reasonable accommodations for known physical or mental disabilities, unless they can show that these accommodations would cause undue hardship.</p> <p>For related harassment prohibitions, see "Harassment" in California Equal Employment Opportunity.</p>	<p>Employers must make reasonable accommodations for employees' and applicants' known physical or mental disabilities, unless they can show that these accommodations would cause undue hardship. Employers can't retaliate or otherwise discriminate against employees and applicants for requesting reasonable accommodations, regardless of whether their request is granted.</p> <p><i>Reasonable accommodations</i> are work modifications or adjustments that enable employees or applicants with disabilities to receive equal consideration for a job, perform essential job duties, or have the same employment benefits and privileges as similarly situated employees without disabilities. Employment benefits include employment, promotions, participation in training programs</p>

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California		<p>leading to employment or promotions, participation in unpaid internships, or other limited-duration programs providing unpaid work experience, compensation, the provision of a discrimination-free and harassment-free workplace and other favorable terms, conditions, and privileges of employment. Reasonable accommodations can include:</p> <ul style="list-style-type: none"> • making facilities readily accessible to employees or applicants with disabilities; • job restructuring; • providing part-time or modified work schedules; • reassigning employees to vacant positions; • acquiring or modifying equipment or devices; • adjusting or modifying examinations, training materials or policies; • providing assistive aids and services such as qualified readers or interpreters; • allowing employees or applicants with disabilities to bring assistive animals to the workplace; • altering when or how essential job duties are performed; and • providing paid or unpaid leave for treatment and recovery. <p><i>Undue hardship</i> means actions that require significant difficulty or expense based on:</p> <ul style="list-style-type: none"> • the nature and cost of accommodations; • affected facilities' overall financial resources and workforce size; • the impact of accommodations on expenses, resources, and facility operations; • employers' overall financial resources and overall business size in terms of workforce size and number, type, and location of facilities; • employers' type of operations, including workforce composition, structure, and functions; and • affected facilities' geographic separateness or administrative or fiscal relationship.

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California		<p>Interactive process: Employers must engage in a timely, good-faith, interactive process with employees and applicants who have known physical or mental disabilities to identify and implement effective, reasonable accommodations. Employers must participate in this process before claiming that accommodations would cause undue hardship. The process requires an individualized assessment of the job and specific physical or mental limitations that directly relate to employees' and applicants' need for reasonable accommodations. Employers aren't required to eliminate essential job duties as an accommodation, but might need to accommodate employees or applicants with disabilities in ways that enable them to meet quality or quantity standards.</p> <p>Employers must initiate the interactive process when:</p> <ul style="list-style-type: none"> • employees and applicants request reasonable accommodations; • they become aware of employees' and applicants' need for reasonable accommodations through a third party or direct observation; or • employees exhaust leave under relevant federal or state leave laws and require additional time to recuperate or other accommodations to perform essential job duties. <p>Employees or applicants with disabilities must:</p> <ul style="list-style-type: none"> • provide reasonable medical documentation, if requested, to confirm the existence of their disabilities and their need for reasonable accommodations; • provide information about their educational qualifications and work experience if their reassignment to another position is considered as an accommodation; and • communicate directly with employers when possible. <p>Employers can require employees and applicants who request accommodations to provide reasonable medical information, including second opinions. If employees need reasonable accommodations that extend beyond one year, employers can ask them to provide medical documents substantiating their need for these accommodations on an annual basis. Employers must grant reasonable accommodation requests or reject them after considering them and discussing alternative accommodations with employees and applicants. Employers have the right to choose among effective accommodations, but can't require employees or applicants with</p>

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California		<p>disabilities to accept accommodations and can't retaliate against them for refusing accommodations. Employers can, however, inform employees and applicants that refusing accommodations might make them unable to perform their essential job duties.</p> <p>Employers have a permissible defense if they can show, after engaging in the interactive process, that there is no reasonable accommodation would allow employees or applicants with disabilities to perform their essential job functions in a way that won't endanger their own or other people's health or safety because their job imposes an imminent, substantial degree of risk to them or other people. Employers can't base this defense on conditions or diseases with a future risk, unless the conditions or diseases currently interfere with employees' or applicants' ability to perform their job in a way that won't endanger themselves or others. The merits of this defense are based on factors such as the duration of risk; the nature, severity, and imminence of potential harm; the likelihood that harm will occur; and relevant information about past work history. The analysis of these factors should be based on reasonable medical judgment that relies on the most current medical knowledge or the best available objective evidence.</p> <p>Cal. Gov't Code §§ 12926 to 12926.1, 12940; Cal. Code Regs. tit. 2, §§ 11064 to 11065, 11067 to 11069</p>
Colorado	<p>Employers can't discriminate against qualified employees or applicants based on disability, unless the disability cannot be reasonably accommodated, it significantly impacts their job, and it actually disqualifies them from the job. Employers must make reasonable accommodations for the known disabilities of qualified employees or applicants with disabilities, unless employers can show that these accommodations would impose undue hardship or require an additional expense.</p>	<p>Fair employment practices law: Employers must make reasonable accommodations for the known disabilities of qualified employees or applicants with disabilities, unless employers can show that these accommodations would impose undue hardship or require an additional expense. Reasonable accommodations can include making facilities accessible and usable for people with disabilities, job restructuring, part-time or modified work schedules, acquiring or modifying equipment or devices, and providing readers or interpreters.</p>

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Colorado	<p>Employers can't discriminate against employees or applicants with disabilities because they are accompanied by a service animal that is individually trained for them. Employers must allow employees with disabilities to keep their service animal with them at all times in the workplace. Employers also must make reasonable accommodations for qualified employees or applicants with disabilities who are accompanied by a service animal that is individually trained for them, unless employers can show that these accommodations would impose undue hardship on their business.</p> <p>For information on related harassment prohibitions, see "Harassment" in Colorado Equal Employment Opportunity.</p>	<p><i>Undue hardship</i> is determined based on factors such as the:</p> <ul style="list-style-type: none"> • overall size of employers' operation in terms of workforce and budget size and the number and type of facilities; • type of employers' operation, including workforce composition and structure; and • nature, cost, and funding of needed accommodations, including sources such as the Colorado Division of Vocational Rehabilitation, employees' and applicants' personal resources, and private organizations that provide financial support and auxiliary aids. <p><i>Additional expense</i> is an expense that goes beyond what is needed to allow a person with disabilities to participate in employment on the same level as other people.</p> <p>Colo. Rev. Stat. §§ 24-34-401 to 24-34-402 (see Smart Code® for the latest cases); 3 Colo. Code Regs. §§ 708-1-10.2, 708-1-60.2, 708-1-60.6</p>
Connecticut	<p>Employers can't discriminate based on a present or past history of mental, intellectual, learning, or physical disabilities, including blindness, unless there is a bona fide occupational qualification or need. Employers must provide reasonable accommodations to employees who make their disabilities known and request accommodations.</p>	<p>Fair employment practices law:</p> <p>[Note: The Connecticut Supreme Court has ruled that the state's fair employment practices law requires employers to provide reasonable accommodations for employees' disabilities and engage in an interactive process upon receiving requests for such accommodations (<i>Curry v. Allan S. Goodman, Inc.</i>, 944 A.2d 925 (Conn. 2008)).]</p>
Delaware	<p>Employers generally can't discriminate based on disability if employees and applicants with disabilities can satisfactorily perform their essential job functions, with or without reasonable accommodations. Employers can be required to provide reasonable accommodations to these employees and applicants.</p>	<p>Qualified employees and applicants with disabilities can request reasonable accommodations in a good-faith effort to seek an employment opportunity. As part of this request, they must:</p> <ul style="list-style-type: none"> • inform employers of their disabilities; • submit any necessary medical documentation; • suggest possible accommodations that are known to them; and • cooperate in any subsequent discussions and evaluations to determine possible or feasible accommodations.

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Delaware		<p>After this request is made, or when potential accommodations are obvious under the circumstances, employers must investigate whether reasonable accommodations can be made. Employees and applicants can be required to accept the employment opportunity in writing as a condition for initiating this investigation, if requested in writing by employers.</p> <p><i>Reasonable accommodations</i> are reasonable workplace changes that would accommodate employees' and applicants' known disabilities by enabling them to satisfactorily perform their essential job duties. Reasonable accommodations can include making facilities accessible, modifying equipment, providing mechanical aids to assist with operating equipment, and making reasonable changes to schedules or job duties.</p> <p>Unless otherwise provided by applicable laws, employers aren't required to:</p> <ul style="list-style-type: none"> provide accommodations of a personal nature, such as eyeglasses, hearing aids, or prostheses, except under the same terms and conditions that such items generally are provided to employees; reassign employees' job duties without assigning them new job duties to compensate for those that were reassigned; reassign employees' job duties if this reassignment would significantly increase the skill, effort, or responsibility requirements for other employees; make accommodations for a new employee where the cost would exceed 5% of the employee's annual salary or annualized hourly wage; make accommodations for an existing employee where the cost would put total accommodation costs for the employee, since initial acceptance of employment, at more than 5% of the employee's current salary or annualized hourly wage; or make changes that would impose undue hardship on employers (accommodation costs that don't exceed the above 5% thresholds are presumed not to cause undue hardship). <p>Del. Code Ann. tit. 19, §§ 722 to 723</p>

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District of Columbia	<p>Employers can't discriminate based on actual or perceived disability, unless this discrimination can be justified by business necessity and they can show that it isn't intentionally unlawful. Employees with physical disabilities must be employed under the same terms and conditions as employees without physical disabilities, unless it is shown that the particular disability prevents the performance of the work involved.</p>	<p>Fair employment practices law: Employers must make reasonable accommodations, if possible, when employees' specific physical or mental disability prevents the normal operation of a business or particular activity in existing structures. Employers can't refuse to hire applicants with disabilities if their disabilities affect a secondary part of the job and reasonable accommodations can be made through minor job restructuring; in addition, they must retain employees who become disabled on the job if reasonable accommodations can be made.</p> <p><i>Reasonable accommodations</i> are job description, workplace design or physical renovation modifications. Determining whether modifications are reasonable accommodations depends on factors such as: their nature and cost; the number of people, with or without disabilities, who would benefit from them; and their benefits or drawbacks in terms of employers' business type and composition and the workplace's physical structure and layout.</p> <p>D.C. Mun. Regs. tit. 4, § 514</p>
Florida	<p>Employers can't discriminate based on handicap, unless this discrimination is justified by a bona fide occupational qualification that is reasonably necessary to job performance.</p>	<p>Covid-19 and other vaccines: Effective June 1, 2023, employers must provide exemptions and reasonable accommodations for medical reasons, according to federal law, relating to vaccines other than Covid-19 vaccines. For information about Covid-19 vaccine mandates based on medical conditions, see "Medical Condition Discrimination" in Florida Equal Employment Opportunity.</p> <p>Fla Stat. § 381.00316 (2023 Fla. Laws 43 (S.B. 252))</p>
Georgia	<p>Employers can't discriminate against employees and applicants with disabilities who are qualified for the positions they seek or hold.</p>	<p>Employers aren't required to modify their physical facilities or grounds in any way or exercise a higher degree of caution for applicants or employees with disabilities than for applicants or employees without disabilities.</p> <p>Ga. Code Ann. § 34-6A-4</p>

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Hawaii	<p>Employers can't discriminate against qualified employees and applicants based on disability. Qualified means that employees and applicants with disabilities have the required skills, experience, education, and other job-related qualification standards for the position they hold or seek and can perform the position's essential functions with or without reasonable accommodations.</p> <p>Employers must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations.</p>	<p>Employers must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations. Employers can't deny employment opportunities to employees and applicants with disabilities based on their need for reasonable accommodations.</p> <p><i>Reasonable accommodations</i> are modifications or adjustments:</p> <ul style="list-style-type: none"> • to the hiring process that enable applicants with disabilities to be considered for a position; • to the work environment, or the way or circumstances under which a position is normally performed, that enable employees and applicants with disabilities to perform essential job functions; • that enable employees with disabilities to enjoy the same employment benefits and privileges that are available to similarly situated employees without disabilities; or • to schedules or leave policies that enable employees with a "record of impairments" to attend follow-up or monitoring appointments with a health-care provider. <p><i>Reasonable accommodations</i> can include making facilities accessible and usable for people with disabilities; restructuring jobs; providing part-time or modified work schedules; reassigning employees to vacant positions; acquiring or modifying equipment or devices; adjusting or modifying examinations, training materials, or policies; and providing qualified readers or interpreters.</p> <p><i>Undue hardship</i> means a significant difficulty or expense, based on factors such as:</p> <ul style="list-style-type: none"> • the nature and net cost of accommodations, taking into consideration the availability of tax credits or deductions and outside funding; • the affected facility's overall financial resources and workforce size; • the impact of accommodations on expenses and resources; • employers' overall financial resources;

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Hawaii		<ul style="list-style-type: none"> employers' overall business size in terms of workforce size and the number, type, and location of facilities; employers' type of operations, including their workforce composition, structure, and functions and their geographic separateness from and administrative or fiscal relationship with the affected facility; the impact of accommodations on the affected facility's operation, including its ability to conduct business and other employees' ability to perform their job duties; the impact of accommodations on collective bargaining agreements. <p>Employees don't have to specifically request reasonable accommodations; they only need to let employers know that they need an adjustment or change to do their job because of limitations caused by disabilities. Employers that receive accommodation requests must initiate an interactive process with employees and applicants to determine appropriate reasonable accommodations. This process must identify the limitations resulting from their disabilities, along with reasonable accommodations that could overcome those limitations.</p> <p>Qualified employees and applicants with disabilities aren't required to accept an accommodation, aid, service, opportunity, or benefit. However, they aren't considered "qualified" if they reject a reasonable accommodation, aid, service, opportunity, or benefit—after being notified by employers of the possible consequences of this rejection—and as a result can no longer perform their essential job functions.</p> <p>Employers aren't required to make unreasonable structural changes or expensive equipment alterations to accommodate the employment of people with disabilities. They also aren't required to accommodate the needs of nondisabled people, who are associated with or related to people with disabilities, in ways that aren't required by Title I of the federal Americans with Disabilities Act.</p> <p>Haw. Rev. Stat. § 378-3; Haw. Code R. 12-46-182, 12-46-187, 12-46-193</p>

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Idaho	<p>Employers can't discriminate based on disability, unless a person's disability prevents the performance of work required for the person's job (even with a reasonable accommodation) or a person's disability poses a direct threat to the health or safety of the person or others.</p>	<p>An employer can't discriminate based on disability, unless a person's disability prevents the performance of work required for the person's job (even with a reasonable accommodation) or a person's disability poses a direct threat to the health or safety of the person or others. <i>Reasonable accommodations</i> are adjustments that don't:</p> <ul style="list-style-type: none"> unduly disrupt or interfere with the employer's normal operations; threaten the health or safety of the person with a disability or others; contradict a business necessity of the employer; or impose undue hardship on the employer based on its business size and type, its financial resources, and the estimated cost and extent of the adjustments. <p><i>Idaho Code Ann. §§ 67-5902, 67-5909</i></p>
Illinois	<p>Employers can't discriminate based on disability. Employers must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless these accommodations would be prohibitively expensive or would unduly disrupt normal business operations.</p>	<p>Employers must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless employers can show that these accommodations would be prohibitively expensive or would unduly disrupt normal business operations.</p> <p>If employees and applicants with disabilities are seeking reasonable accommodations, they must inform employers of their disabilities and submit any necessary medical documentation. Normally they must initiate the request for reasonable accommodations, and they must cooperate in any discussions and evaluations to determine possible or feasible accommodations.</p> <p>Employers must provide reasonable accommodations when this request is initiated or when potential accommodations are obvious.</p> <p><i>Reasonable accommodations</i> can include altering facilities or worksites, modifying work schedules or leave policies, acquiring equipment, job restructuring, and providing readers or interpreters. Reasonable accommodations don't include personal accommodations such as eyeglasses or hearing aids or superfluous accommodations such as chauffeurs. Employers aren't required to hire two full-time employees to perform one job in order to accommodate employees with disabilities.</p>

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Illinois		<p>Determining whether accommodations would be <i>prohibitively expensive or disruptive</i> involves weighing their costs and inconveniences against their immediate and potential benefits. <i>Immediate benefits</i> are the facilitation of employment for people with disabilities. Potential benefits include facilitating access by other employees, applicants, clients, and customers with disabilities.</p> <p>Ill. Admin. Code tit. 56, § 2500.40</p>
Indiana	<p>Employers can't discriminate against qualified employees and applicants based on physical or mental disabilities. Employers must make reasonable accommodations for employees' and applicants' known physical or mental disabilities, unless these accommodations impose undue hardship.</p>	<p>Disability discrimination law: Employers must make reasonable accommodations for employees' and applicants' known physical or mental disabilities. Employers can engage in an interactive process with employees and applicants to identify effective reasonable accommodations. <i>Reasonable accommodations</i> can include making existing facilities readily accessible to employees with disabilities, modifying work schedules, obtaining special equipment, restructuring jobs, reassigning employees to vacant positions, modifying examinations or training materials and providing readers or interpreters.</p> <p>Employers aren't required to make accommodations that impose undue hardship because, for example, they are unduly expensive, require extensive physical or structural modifications to the workplace or fundamentally change business operations.</p> <p>Employees and applicants aren't required to accept employers' accommodations; however, they can't sue employers for disability discrimination if they rejected accommodations that they need to perform their essential job functions.</p> <p>Ind. Code §§ 22-9-5-7, 22-9-5-17 to 22-9-5-18; Ind. Admin. Code tit. 910, r. 3-1-1, 3-2-13 to 3-2-14, 3-2-16, 3-3-6</p>

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Iowa	<p>Employers can't discriminate based on disability if employees or applicants with disabilities are qualified to perform a particular occupation based on their training or experience. Employers must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees or applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations.</p>	<p>Employers must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees or applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations. Employers can't deny employment opportunities to qualified employees or applicants with disabilities based on their need for such accommodations. Reasonable accommodations can include making facilities readily accessible to and usable by employees or applicants with disabilities; job restructuring; part-time or modified work schedules; acquiring or modifying equipment or devices; and providing readers or interpreters.</p> <p><i>Determining undue hardship</i> depends on factors such as:</p> <ul style="list-style-type: none"> • employers' overall business size in terms of workforce and budget size and the number and type of their facilities; • employers' operation type, including their workforce composition and structure; and • the nature and cost of needed accommodations. <p>If employees become disabled for any reason during their period of employment, employers must make every reasonable effort to allow these employees to continue in their position or another position and to assist with their rehabilitation.</p> <p>Iowa Admin. Code r. 161-8.27 to 161-8.28</p> <p>Covid-19 vaccine: For information about Covid-19 vaccine requirement waivers based on health reasons, see "Medical Condition Discrimination" in Iowa Equal Employment Opportunity.</p>
Kansas	<p>Employers can't discriminate against employees or applicants with physical or mental disabilities if they have the skill, experience, education, or other legitimate qualifications for the position they hold or seek.</p>	<p>Employers must make reasonable accommodation to known physical and mental limitations of otherwise qualified applicants or employees. Examples of reasonable accommodation include modifications or adjustments to job application processes that enable qualified applicants with disabilities to be considered, as well as job restructuring, reassignment, modification to the work environment or circumstances that enable qualified employees to perform the essential functions of their jobs or enjoy the same benefits and privileges of employment as employees without disabilities. When interviewing applicants with disabilities, for example, employers might have to provide interpreters if</p>

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Kansas		<p>applicants are hearing-impaired or conduct interviews in rooms accessible to applicants using wheelchairs. When conducting employment tests, employers might have to offer tests in Braille or allow the use of readers for applicants or employees who are blind.</p> <p>Employers aren't required to make any accommodation that would create undue hardship because it is unduly expensive or requires extensive physical or structural modifications to the workplace or that would fundamentally change business operations.</p> <p>Covid-19 vaccine: For information about vaccine requirement exemptions based on health reasons, see "Medical Condition Discrimination" in Kansas Equal Employment Opportunity.</p>
Kentucky	<p>Employers can't discriminate against qualified employees and applicants based on disability, unless employers can show that they are unable to reasonably accommodate the disability without causing undue hardship to their business. Employers also can't discriminate against employees and applicants because of their physical disabilities, unless these disabilities restrict their ability to perform their job or occupation or unless otherwise provided by law.</p>	<p>Fair employment practices law: Employers must make reasonable accommodations for employees' and applicants' disabilities, unless they can show that these accommodations would cause undue hardship.</p> <p><i>Reasonable accommodations</i> can include making existing facilities readily accessible and usable; job restructuring; part-time or modified work schedules; reassignment to a vacant position; acquiring or modifying equipment or devices; adjusting or modifying examinations, training materials, or policies; and providing qualified readers or interpreters.</p> <p><i>Undue hardship</i> is an action that requires significant difficulty or expense in terms of:</p> <ul style="list-style-type: none"> • the nature and cost of accommodations; • affected facilities' overall financial resources and workforce size; • the impact of accommodations on affected facilities' expenses, resources, and operations; • employers' overall financial resources and workforce size; • the number, type, and location of employers' facilities; and • the type of operations, including workforce composition, structure, and functions, and the geographic separateness and administrative or fiscal relationship of affected facilities. <p>Ky. Rev. Stat. Ann. § 344.030</p>

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Louisiana	<p>Employers can't discriminate based on disability if employees and applicants with disabilities can perform essential job functions with reasonable accommodation.</p>	<p>Employers can't fail or refuse to make reasonable accommodations based on disability if employees and applicants with disabilities are otherwise qualified and can perform their job duties with reasonable accommodation. <i>Reasonable accommodations</i> are adjustments or modifications for the known physical limitations of otherwise qualified employees and applicants with disabilities if such accommodations don't impose undue hardship on employers. <i>Undue hardship</i> is determined on a case-by-case basis by considering employees' and applicants' specific disability, the position's essential job duties, and the working environment.</p> <p>La. Rev. Stat. Ann. §§ 23:322 to 23:323</p>
Maine	<p>Employers generally can't discriminate based on physical or mental disability, unless a bona fide occupational qualification exists.</p> <p>For related harassment provisions, see "Harassment" in Maine Equal Employment Opportunity.</p>	<p>If employees or applicants request accommodations for their known disabilities or medical conditions, their employer must engage in a good-faith, documented process to identify effective, reasonable accommodations. Employers aren't required to make accommodations that would cause undue hardship by being unduly expensive, requiring extensive physical or structural modifications to the workplace, or fundamentally changing business operations. Employers also aren't required to provide reasonable accommodations to workers who are only "regarded as" disabled.</p> <p><i>Reasonable accommodations</i> can include making worksites accessible, modifying or acquiring equipment or devices, restructuring jobs, creating part-time or modified work schedules, reassigning employees to vacant positions, modifying examinations, providing qualified readers or interpreters, and granting leaves of absence.</p> <p>Employers can't require employees or applicants to accept accommodations. However, employees won't be considered qualified if they reject a reasonable accommodation that is needed to perform their essential job functions. Employers also can't deny employment benefits because of a prospective need to make reasonable accommodations for employees' disabilities.</p>

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Maryland	<p>Employers can't discriminate based on a disability if the nature and extent of the disability aren't reasonably related to preventing job performance, although they can make hiring or employment decisions based on disability if disability is a bona fide occupational qualification that is reasonably necessary to normal business operations.</p> <p>Employers must make reasonable accommodations for the known physical or mental limitations of qualified employees or applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations.</p>	<p>Employers can't fail or refuse to make reasonable accommodations for the known physical or mental limitations of qualified employees (or, effective October 1, 2022, applicants) with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations. Employers also can't deny employment opportunities to qualified employees or applicants with disabilities based on the need to accommodate their physical or mental limitations, unless these accommodations would be unreasonable.</p> <p><i>Reasonable accommodations can include:</i></p> <ul style="list-style-type: none"> • making workplace facilities readily accessible to and usable by people with disabilities; • providing or modifying equipment or devices; • job restructuring; • part-time or modified work schedules; • reassigning or transferring employees to a vacant position, a light-duty job, another work location, or another alternative employment opportunity available under an existing policy or practice; • telework arrangements where employees perform some or all of their job duties at their home or a designated location other than employers' normal worksite; • allowing employees to use paid or unpaid sick, disability, medical, or other leave that is available under an existing policy or practice; • adjusting or modifying examinations, training materials, or policies; • allowing employees to use a service animal; • providing applicants with disabilities an opportunity to demonstrate their relevant knowledge, skills, or abilities through testing methods adapted to their special circumstances; • making reasonable modifications to rules, policies, or practices so that employees with disabilities can perform their essential job functions; and • reanalyzing job specifications, qualifications, or criteria to determine if they can be waived or modified.

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Maryland		<p>Employers have the burden of proving their inability to make reasonable accommodations. Determining whether accommodations would impose undue hardship is based on the following factors:</p> <ul style="list-style-type: none"> • the nature and cost of the accommodations; • the financial resources of employers and, if applicable, their parent corporation; • the size of employers' business in terms of the number and type of facilities; • the type of employers' business, including their workforce composition and structure; • employers' ability to conduct business with the accommodations; • the accommodations' impact on other employees' performance; and • legitimate safety concerns based on actual information or data instead of speculation, conjecture, stereotypes, or generalizations about people with disabilities. <p>Interns: Employers can't fail or refuse to make reasonable accommodations for the known physical or mental limitations of qualified interns with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations.</p> <p><i>Interns</i> are people who perform work for employers for training purposes if:</p> <ul style="list-style-type: none"> • employers aren't committed to hiring them at the end of their training period; • they agree with employers that they aren't entitled to wages for the work they perform; • the work supplements their educational training and provides them with beneficial experience that might enhance their employability; and • the work is closely supervised by existing staff and doesn't displace regular employees. <p>Md. Ann. Code Ann., State Gov't §§ 20-603 (2022 Md. Laws 325 (HB 78)), 20-606 (2022 Md. Laws 325 (HB 78)), 20-610</p>

State	Overview Analysis	Reasonable Accommodations Analysis
Massachusetts	<p>Employers can't discriminate based on the handicap of a qualified employee or applicant. Specifically, employers can't discriminate against qualified employees and applicants with handicaps who can perform their essential job functions with reasonable accommodations, unless these accommodations would impose undue hardship on employers' business. Employers can be required to provide reasonable accommodations for the physical or mental limitations of qualified employees and applicants with handicaps, unless these accommodations would impose undue hardship on employers' business.</p>	<p>Employers can be required to provide reasonable accommodations for the physical or mental limitations of qualified employees and applicants with handicaps, unless employers can show that these accommodations would impose undue hardship on their business. Undue hardship is determined based on factors such as:</p> <ul style="list-style-type: none"> • employers' overall business size in terms of workforce size, number and type of facilities, and budget size or available assets; • employers' type of operation, including workforce composition and structure; and • the nature and cost of needed accommodations.
Michigan	<p>Employers generally can't discriminate based on disability. Employers must reasonably accommodate people with disabilities, unless they can show that such accommodations would impose undue hardship. The opportunity to obtain employment without discrimination because of a disability is a civil right.</p>	<p>Employers must accommodate people with disabilities, unless they can show that these accommodations would impose undue hardship. Reasonable accommodations aren't considered preferential treatment or employee benefits.</p> <p>Equipment or devices: An accommodation requiring the purchase of any equipment or device imposes undue hardship if:</p> <ul style="list-style-type: none"> • employers (excluding public employers and nonprofit organizations) have fewer than four employees and the total cost exceeds the state average weekly wage; • employers have four to 14 employees and the total cost exceeds 1.5 times the state average weekly wage; or • employers have 15 or more employees and the total cost exceeds 2.5 times the state average weekly wage. <p>These cost thresholds are reduced by 50 percent for temporary employees who are hired for up to 90 days. The state average weekly wage is determined by the Michigan Employment Security Commission.</p> <p>Readers or interpreters: An accommodation requiring the employment of readers or interpreters imposes undue hardship if:</p> <ul style="list-style-type: none"> • employers have fewer than four employees and the cost exceeds seven times the state average weekly wage for the first year and 5 times the state average weekly wage for each year thereafter;

State	Overview Analysis	Reasonable Accommodations Analysis
Michigan		<ul style="list-style-type: none"> employers have four to 14 employees and the cost exceeds 10 times the state average weekly wage for the first year and seven times the state average weekly wage for each year thereafter; or employers have 15 or more employees and the cost exceeds 15 times the state average weekly wage for the first year and 10 times the state average weekly wage for each year thereafter. <p>These cost thresholds are reduced by 50 percent for temporary employees who are hired for up to 90 days. The state average weekly wage is determined by the Michigan Employment Security Commission. Job restructuring or schedule altering: Employers with 15 or more employees can be required to restructure jobs and alter employees' schedules as an accommodation for minor or infrequent job duties. Employers with fewer than 15 employees aren't required to restructure jobs or alter employees' schedule as an accommodation.</p> <p>Job restructuring or schedule altering: Employers with 15 or more employees can be required to restructure jobs and alter employees' schedules as an accommodation for minor or infrequent job duties. Employers with fewer than 15 employees aren't required to restructure jobs or alter employees' schedule as an accommodation</p>
Minnesota	<p>Employers can't discriminate based on disability, unless this discrimination is justified by a bona fide occupational qualification. An employer must make reasonable accommodations for applicants or qualified employees with disabilities, except when justified by a bona fide occupational qualification or when the employer can show that the accommodations would impose undue hardship on its business.</p>	<p>An employer must make reasonable accommodations for applicants or qualified employees with disabilities, except when justified by a bona fide occupational qualification or when the employer can show that the accommodations would impose undue hardship on its business. <i>Reasonable accommodations</i> are steps that must be taken to accommodate the known physical or mental limitations of a qualified person with a disability. <i>Qualified</i> means the person can, with reasonable accommodation, perform the essential functions required of all applicants for the applicable job. In this context, a condition resulting from alcohol or drug abuse isn't a disability if it prevents the person from performing the job's essential functions or if it constitutes a direct threat to property or the safety of others.</p> <p>To determine a reasonable accommodation, the employer must initiate an informal, interactive process with the person in need of the accommodation. This process should identify the limitations resulting from the person's disability and any potential reasonable accommodations that could overcome those limitations. Reasonable accommodations can include making facilities</p>

State	Overview Analysis	Reasonable Accommodations Analysis
Minnesota		<p>readily accessible to and usable by people with disabilities, job restructuring, modified work schedules, reassignment to a vacant position, acquiring or modifying equipment or devices, and providing aides on a temporary or periodic basis.</p> <p><i>Undue hardship</i> is determined based on factors such as:</p> <ul style="list-style-type: none"> the employer's overall business size in terms of the number of employees and the number and type of facilities; the employer's business operation type, including the composition and structure of its workforce and the number of employees at the location of the applicable employment; the nature and cost of the needed accommodation; the employer's ability to finance the accommodation at each worksite; and any documented, good-faith efforts to explore less restrictive or less expensive alternatives. <p>An employer isn't required to pay for an applicant's accommodation that is available from an alternative source at no charge.</p> <p>Minn. Stat. §§ 363A.03, 363A.08</p>
Mississippi	Mississippi does not have disability discrimination statutes or regulations that apply generally to private-sector employment. Courts in Mississippi have addressed such claims.	No state statutory or regulatory provisions apply generally to private-sector employment.
Missouri	Employers can't discriminate based on disability, unless a disability substantially interferes with employees' and applicants' ability to perform their essential job functions. Employers must make reasonable accommodations for the known limitations of employees and applicants with disabilities.	<p>Employers must make reasonable accommodations for the known limitations of employees and applicants with disabilities. Accommodations can include:</p> <ul style="list-style-type: none"> making workplace facilities readily accessible to and usable by people with disabilities; job restructuring; part-time or modified work schedules; acquiring or modifying equipment or devices; and providing readers or interpreters.

State	Overview Analysis	Reasonable Accommodations Analysis
Missouri		<p>Determining whether accommodations are reasonable depends on factors such as:</p> <ul style="list-style-type: none"> • the nature and cost of needed accommodations; • the size and nature of employers' business, including the number and type of their facilities and their workforce structure and composition; • employers' previous good-faith efforts to accommodate similar disabilities; and • employers' ownership interest in the subject of proposed accommodations, including their authority to make the accommodations under the terms of a bona fide lease or other agreement.
Montana	<p>Employers can't discriminate based on physical or mental disabilities, unless a position's reasonable demands require distinctions based on physical or mental disabilities. Employers must provide reasonable accommodations if needed for the known physical or mental limitations of qualified employees and applicants with disabilities, unless these accommodations would impose undue hardship on employers or endanger anyone's health or safety.</p> <p>For information on vaccine status discrimination, see "Lawful Activities" in Montana Equal Employment Opportunity.</p>	<p>Fair employment practices law: Employers must provide reasonable accommodations if needed for the known physical or mental limitations of qualified employees and applicants with disabilities, unless these accommodations would impose undue hardship on employers or endanger anyone's health or safety. Employers can't deny equal employment opportunities to employees and applicants with disabilities because of their need for reasonable accommodations. Employees and applicants with disabilities are <i>qualified</i> if they can perform their essential job functions with or without reasonable accommodations.</p> <p>Reasonable accommodations can include:</p> <ul style="list-style-type: none"> • making existing worksites readily accessible to and usable by employees and applicants with disabilities; • job restructuring and part-time or modified work schedules; • reassigning employees to vacant positions for which they are qualified; • acquiring or modifying equipment or devices; • adjusting or modifying examinations and training materials or policies; and • providing qualified readers or interpreters. <p>Reasonable accommodations don't include accommodations that would endanger anyone's health or safety. Before taking adverse action on these grounds, however, employers should independently assess whether the accommodations would create a reasonable probability of substantial harm; failure to do so creates a disputable presumption that this justification is a pretext for discrimination based on disability.</p>

State	Overview Analysis	Reasonable Accommodations Analysis
Montana		<p><i>Undue hardship</i> is an action that requires significant difficulty or extraordinary cost, when considering:</p> <ul style="list-style-type: none"> • the nature and expense of accommodations; • affected facilities' overall financial resources and workforce size; • the impact of accommodations on affected facilities' expenses, resources, and operations; • employers' overall financial resources and workforce size; • the number, type, and location of employers' facilities; and • the type of employers' operations, including their workforce composition, structure, and functions and the geographic separateness and administrative or fiscal relationship between employers and their affected facilities. <p>Mont. Code Ann. §§ 49-2-101, 49-2-402</p>
Nebraska	<p>Employers can't discriminate against employees and applicants with physical or mental disabilities who have the skill, experience, education, or other legitimate qualifications for the positions they seek or hold and who can perform essential job duties with or without reasonable accommodation, unless absence of disability is a bona fide occupational qualification. Employers also can't harass employees and applicants with disabilities.</p>	<p>When an applicant or employee requests accommodation of a disability or medical condition, employers must identify an effective reasonable accommodation. Examples of reasonable accommodations include making existing facilities usable by employees with disabilities, restructuring jobs, creating part-time or modified work schedules, reassigning employees to vacant positions, or modifying equipment or tools so that they can be used by employees with disabilities. When interviewing applicants with disabilities, employers might have to provide interpreters if applicants are hearing impaired or conduct interviews in rooms accessible to applicants using wheelchairs. When conducting employment tests, employers might have to offer tests in Braille or allow the use of readers for applicants or employees who are blind.</p> <p>Employers aren't required to make any accommodation that would create undue hardship because (for example) the accommodation is unduly expensive, requires extensive physical or structural modifications to the workplace, or would fundamentally change business operations. If a particular accommodation would result in undue hardship, however, employers still must provide any alternative accommodation that is available and wouldn't create undue hardship.</p> <p>Neb. Rev. Stat. §§ 48-1102 to 48-1108.01, 48-1111 to 48-1113, 48-1115</p>

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Nevada	<p>Employers can't discriminate against employees and applicants with disabilities who have legitimate qualifications for the position they seek or hold, unless absence of disability is a bona fide occupational qualification.</p>	<p>No state statutory or regulatory provisions apply generally to private-sector employment.</p>
New Hampshire	<p>Employers can't discriminate based on physical or mental disability, unless the discrimination is based on a bona fide occupational qualification. An employer must make reasonable accommodations for the known physical or mental limitations of a qualified employee or applicant with a disability, unless the accommodations would impose undue hardship on the operation of its business.</p>	<p>An employer must make reasonable accommodations for the known physical or mental limitations of a qualified employee or applicant with a disability, unless the employer can demonstrate that the accommodations would impose undue hardship on the operation of its business. An employer can't deny employment opportunities, compensation, or terms, conditions, or privileges of employment to a qualified employee or applicant with a disability if the denial is based on the employer's need to make reasonable accommodations for the physical or mental impairments of the employee or applicant.</p> <p><i>Reasonable accommodations</i> can include making existing facilities readily accessible and usable; job restructuring; part-time or modified work schedules; reassignment to a vacant position; acquiring or modifying equipment or devices; adjusting or modifying examinations, training materials, or policies; and providing qualified readers or interpreters.</p> <p><i>Qualified</i> means that the employee or applicant can perform the essential functions of the position they hold or seek, with or without reasonable accommodations.</p> <p><i>Undue hardship</i> means that an accommodation requires significant difficulty or expense, when considering:</p> <ul style="list-style-type: none"> • the nature and cost of the accommodation; • the overall financial resources of the employer and affected facility; • the affected facility's workforce size; • the impact of the accommodation on expenses, resources, and the affected facility's operation; • the employer's overall business size in terms of workforce size and the number, type, and location of its facilities; and

State	Overview Analysis	Reasonable Accommodations Analysis
New Hampshire		<ul style="list-style-type: none"> the employer's type of operation, including its workforce composition, structure, and functions, its geographic separateness from the affected facility, and its administrative or fiscal relationship to the facility. <p>N.H. Rev. Stat. Ann. §§ 354-A:2, 354-A:7</p>
New Jersey	<p>Employers can't discriminate based on disability, unless the nature and extent of a disability reasonably prevents the performance of a particular position. Employers must make reasonable accommodations for the limitations of employees or applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations.</p>	<p>Employers must make reasonable accommodations for the limitations of employees or applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations. Employers also must consider the possibility of reasonable accommodations before discharging, demoting, or refusing to promote or hire employees or applicants with disabilities on the grounds that their disabilities prevent them from performing the job.</p> <p><i>Reasonable accommodations</i> can include:</p> <ul style="list-style-type: none"> making workplace facilities readily accessible and usable by people with disabilities; job restructuring, part-time or modified work schedules, or leaves of absence; acquiring or modifying equipment or devices; and job reassignments. <p><i>Undue hardship</i> is determined based on factors such as the:</p> <ul style="list-style-type: none"> overall size of employers' business in terms of workforce size, number and type of facilities, and budget size; type of employers' operations, including workforce composition and structure; nature and cost of needed accommodations, taking into consideration the availability of tax credits or deductions and outside funding; and extent to which accommodations would involve the waiver of job requirements are essential versus those that are tangential or unrelated to business necessity. <p>Employers also must conduct their employment procedures in such a way that all people, with or without disabilities, are given equal consideration based on their qualifications and abilities. This requirement applies to all aspects</p>

State	Overview Analysis	Reasonable Accommodations Analysis
New Jersey		<p>of employment, including hiring, promotions, tenure, training, assignments, transfers, and leave. To carry out the requirement, each person's ability to perform a particular job must be assessed on an individual basis.</p> <p>N.J. Admin. Code § 13:13-2.5</p> <p>[Note: The New Jersey Supreme Court has held that an employer doesn't need to provide an employee with medical treatment as a reasonable accommodation, as medical treatment is "neither a modification to the work environment nor a removal of workplace barriers." <i>Caraballo v. City of Jersey City Police Dep't</i>, 204 A.3d 254 (N.J. 2019).]</p> <p>[Note: The New Jersey Supreme Court found that employees may establish a disability discrimination claim by showing that their employer failed to respond to their reasonable accommodation request, and do not need to additionally show that the failure-to-accommodate caused or was followed by an adverse employment action. <i>Richter v. Oakland Bd. of Educ.</i>, No. A-23 September Term 2019, 2021 BL 212112 (N.J. June 08, 2021).]</p>
New Mexico	<p>Employers can't discriminate against an otherwise qualified person based on physical or mental handicap (effective June 16, 2023, physical or mental disability), unless the discrimination is based on a bona fide occupational qualification or other statutory prohibition. An employer can't refuse or fail to accommodate a person's physical or mental handicap (effective June 16, 2023, physical or mental disability), unless the accommodation is unreasonable or imposes undue hardship on the employer.</p>	<p>An employer can't refuse or fail to accommodate a person's physical or mental handicap (effective June 16, 2023, physical or mental disability), unless the accommodation is unreasonable or imposes undue hardship on the employer. A <i>reasonable accommodation</i> is a modification or adaptation of a job's work environment, work schedule, work rules, or responsibilities in order to enable the person to perform the job's essential functions. It must be reached through good-faith efforts to explore less-restrictive or less-expensive alternatives.</p> <p>An accommodation imposes <i>undue hardship</i> if it requires significant difficulty or expense, when considering:</p> <ul style="list-style-type: none"> • the nature and cost of the accommodation;

State	Overview Analysis	Reasonable Accommodations Analysis
New Mexico		<ul style="list-style-type: none"> the employer's financial resources and workforce size; the impact of the accommodation on the employer's expenses, resources, and business; the employer's business size in terms of the number, type, and location of its facilities; the employer's type of operation, including its workforce composition, structure, and functions; or the geographic separateness of the employer's facilities or their administrative or fiscal relationship to the employer. <p>N.M. Stat. Ann. §§ 28-1-2, 28-1-7 (2023 N.M. Laws 29 (H.B. 207))</p>
New York	<p>Employers can't discriminate against employees, applicants, and interns based on disability if they can reasonably perform their job duties with or without reasonable accommodations. Employers must make reasonable accommodations for known disabilities, unless they can show that these accommodations would impose undue hardship on their business operations.</p> <p>For related harassment prohibitions, see "Harassment" in New York Equal Employment Opportunity.</p>	<p>Fair employment practices law: Employers can't refuse to provide reasonable accommodations for employees' and applicants' known disabilities in connection with the job they hold or seek or their participation in training programs, unless employers can show that these accommodations would impose undue hardship on their business operations. Employers can't ask applicants whether they need accommodations.</p> <p>To be eligible for reasonable accommodations, employees and applicants must:</p> <ul style="list-style-type: none"> have disabilities that actually interfere with their job performance, including when employees' recovery or treatment needs interfere with their job performance if accommodations would allow them to recover or obtain treatment while maintaining employment; have disabilities and accommodation needs that are known or made known to employers, including when employees and applicants inform employers of their disabilities and request accommodations; have required job qualifications and be able to satisfactorily perform their job; be qualified for their job through education, skill, experience, or ability to the same extent that these qualifications are required as BFOQs for nondisabled employees and applicants; and be able to reasonably, satisfactorily perform the essential functions of their job, with or without accommodations.

State	Overview Analysis	Reasonable Accommodations Analysis
New York		<p>Employers can determine satisfactory performance standards if they apply these standards evenly to all employees in the same position. Essential functions are fundamental job functions, as determined based on factors such as:</p> <ul style="list-style-type: none"> • employers' judgment, which can be demonstrated through pre-existing, written job descriptions; • how often these functions actually are performed by other employees in the same position; • how many other employees are available to perform these functions in the event of job restructuring; • how an employee's or applicant's inability to perform these functions directly and specifically impacts employers' business; and • the terms of collective bargaining agreements. <p>Employers must consider accommodations upon receiving requests for them or otherwise discovering that they are needed. Employers can select which reasonable accommodations to provide, so long as these accommodations meet employees' and applicants' needs. Employees and applicants must cooperate with employers during this process; however, they can refuse accommodations if they can perform their job in a reasonable manner without accommodations.</p> <p><i>Reasonable accommodations</i> are actions that allow employees or applicants with disabilities to perform their job-related activities in a reasonable manner, but don't impose undue hardship on employers' business. These actions can include:</p> <ul style="list-style-type: none"> • providing accessible worksites; • making existing facilities more accessible to people with disabilities; • acquiring or modifying equipment; • support services for people with impaired hearing or vision; • job restructuring; • modified work schedules; • adjustments to work schedules for treatment or recovery;

State	Overview Analysis	Reasonable Accommodations Analysis
New York		<ul style="list-style-type: none"> reassigning employees to other available positions; adjusting examinations, training materials, or policies; and providing readers or interpreters. <p>Job restructuring is required as a reasonable accommodation if employees or applicants with disabilities meet the BFOQs and can satisfactorily perform their essential job functions. Employers can't require employees or applicants with disabilities to perform nonessential functions that they can't perform because of their disabilities.</p> <p>Reasonable accommodations don't include:</p> <ul style="list-style-type: none"> providing for personal care needs, although personal care assistants should be accommodated when provided by employees at no cost to employers; providing non work-related aids, such as personal hearing aids or wheelchairs, that are employees' own responsibility; creating completely unique positions that have qualifications or functions tailored to disabled employees' and applicants' abilities; accommodating behaviors that don't meet workplace behavior standards if employers consistently apply these standards to all similarly situated employees; accommodating disabilities that pose a significant risk of substantial harm to employees' or others' health or safety if this risk can't be eliminated or reduced through reasonable accommodations; or making accommodations that pose a significant risk of substantial harm to employees' or others' health or safety. <p>To determine whether disabilities or accommodations pose a <i>significant risk of substantial harm to health or safety</i>, employers must make an individualized assessment based on reasonable judgment. Specifically, employers must rely on current medical knowledge or the best objective information available to determine the nature, duration and severity of this risk; the probability of injury occurring; and whether reasonable accommodations would mitigate the risk.</p>

State	Overview Analysis	Reasonable Accommodations Analysis
New York		<p><i>Undue hardship</i> means significant difficulty or expense for employers. Determining whether accommodations would impose undue hardship is based on factors such as:</p> <ul style="list-style-type: none"> • employers' overall business size in terms of workforce size, number and type of facilities, and budget size; • the type of employers' business operations, including workforce composition and structure; • the nature and cost of needed accommodations; • how well accommodations remove disability-related impediments to performance; • how convenient or reasonable accommodations are for employers, including how their convenience compares to other possible accommodations; and • hardships, costs, or problems that accommodations would cause employers and other employees. <p>Certification requirements: Employers must clearly request any documentation from employees and applicants that is necessary to consider a known or requested need for reasonable accommodations. When considering these accommodations, employers are entitled to medical or other information that is necessary to verify the existence of employees' and applicants' disabilities or to consider their need for the accommodations. Employees must cooperate in providing this information.</p> <p>Temporary disabilities: Employers can be required to make certain reasonable accommodations for employees with temporary disabilities. Specifically, employers might need to modify work schedules and reassign employees to another position or light duty. Determining reasonable accommodations for temporary disabilities can depend on factors such as employers' past practice, pre-existing leave or light duty policies, and specific workplace needs; the relevant workforce's size and flexibility; and employees' overall attendance record. Only <i>deminimis</i> accommodations can be required in the areas of worksite accessibility, equipment acquisition or modification, job restructuring, and support services for employees with temporary hearing or vision impairments.</p>

State	Overview Analysis	Reasonable Accommodations Analysis
New York		<p>Alcoholism and drug addiction: The reasonable accommodation requirements cover alcoholism and drug addiction if employees and applicants are recovered or recovering from such and can perform their job duties like anyone else with similar skills, experience, and other qualifications. Reasonable accommodations can include allowing employees to adjust their work schedule for ongoing treatment if they maintain regular attendance and continue to perform their essential job functions. The reasonable accommodation requirements don't cover current illegal drug use. If employers have knowledge of such use, employees and applicants aren't entitled to accommodations and employees can be discharged. Current illegal drug use means illegal drug use that occurred recently enough for employers to reasonably believe that such use is current or that continuing use is a real and ongoing problem. Tests to determine illegal drug use aren't considered medical tests; if they reveal any other information about medical conditions or history, employers can't use it against employees and applicants.</p>
North Carolina	<p>Employers can't discriminate against employees and applicants with physical or mental disabilities who are otherwise qualified for the positions they seek or hold and can perform essential job duties with or without reasonable accommodation. If employees or applicants request reasonable accommodations for their disabilities, employers must identify reasonable accommodations that would enable them to perform their essential job functions.</p>	<p>Disability discrimination law: When applicants or employees request accommodation of a disability or medical condition that has been made known, employers must identify an effective reasonable accommodation, such as modification or adaptation of the work environment or job responsibilities that will enable applicants or employees to perform essential job functions. When interviewing applicants with disabilities, for example, employers might have to provide interpreters if applicants are hearing impaired or conduct interviews in rooms accessible to applicants using wheelchairs. When conducting employment tests, employers might have to offer tests in Braille to applicants or employees who are blind or allow their use of readers.</p> <p>Employees with disabilities who seek reasonable accommodation must make their disability known, submit supporting medical documentation, suggest possible accommodations, and cooperate in determining feasible accommodations. Employers can refuse reasonable accommodation to employees who don't fulfill these duties.</p>

State	Overview Analysis	Reasonable Accommodations Analysis
North Carolina		<p>Employers aren't required to:</p> <ul style="list-style-type: none"> make any accommodation that would create undue hardship because (for example) the accommodation is unduly expensive or requires extensive physical or structural modifications to the workplace, or would fundamentally change business operations; hire one or more employees to enable the applicant or employee with a disability to be employed; reassign job duties to other employees without reassigning duties to the employee with a disability; deviate from seniority policies; or provide accommodations of a personal nature, such as wheelchairs, hearing aids, or prosthetics, unless they provide these items for employees who don't have disabilities. <p>Even if a particular accommodation would result in undue hardship, however, employers still must provide any alternative accommodation that is available and wouldn't create undue hardship.</p> <p>N.C. Gen. Stat. § 143-422.2</p> <p>N.C. Gen. Stat. §§ 168A-3 to 168A-5, 168A-9 to 168A-10, 168A-11 to 168A-12</p>
North Dakota	<p>Employers can't discriminate based on physical or mental disability, although they can reject applicants or discharge employees based on physical or mental disability if that factor is a bona fide occupational qualification that is reasonably necessary to normal business operations.</p> <p>Employers must make reasonable accommodations for physical or mental disabilities, unless certain conditions apply.</p>	<p>An employer can't fail or refuse to make a reasonable accommodation for an otherwise qualified person with a physical or mental disability, unless the accommodation would:</p> <ul style="list-style-type: none"> unduly disrupt or interfere with the employer's normal business operations; threaten the health or safety of the person or anyone else; contradict a business necessity of the employer; or impose undue hardship on the employer, when considering its business size and type, its financial resources, and the estimated cost and extent of the accommodation.

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North Dakota		<p><i>Otherwise qualified person</i> means a person who can perform the essential functions of the applicable job.</p> <p>N.D. Cent. Code §§ 14-02.4-02 to 14-02.4-03</p> <p>Covid-19 vaccine (effective Nov. 15, 2021, through Aug. 1, 2023): For information about Covid-19 vaccine exemptions based on health reasons, see "Medical Condition Discrimination" in North Dakota Equal Employment Opportunity.</p>
Ohio	<p>Employers can't discriminate against employees or applicants based on disability if they can safely and substantially perform their essential job functions with or without reasonable accommodations.</p> <p>Employers must make reasonable accommodations for the disabilities of those employees or applicants, unless the accommodations would impose undue hardship on business operations.</p>	<p>An employer must make reasonable accommodations for the disabilities of qualified employees or applicants, unless the employer can show that the accommodations would impose undue hardship on its business operations. Accommodations are reasonable adjustments to a job or work environment that enable employees or applicants to safely and substantially perform their job duties. Accommodations can include providing access to a job; restructuring a job by realigning its duties, revising its description, or modifying its work schedule; and acquiring or modifying equipment or devices. Employees or applicants are qualified if they can safely and substantially perform their essential job functions with or without reasonable accommodations.</p> <p><i>Undue hardship</i> can be determined by considering the following factors:</p> <ul style="list-style-type: none"> Business necessity, which occurs when a practice or policy is so essential to job performance that there is no acceptable or alternative practice or policy having less discriminatory impact. Financial costs, if they are unreasonably high when considering the size of the employer's business, the value of the applicant's or employee's work, whether the costs can be included in planned remodeling or maintenance, and the requirements of other laws and contracts. Other appropriate considerations that can be supported with objective evidence. <p>Ohio Admin. Code §§ 4112-5-02, 4112-5-08</p>

State	Overview Analysis	Reasonable Accommodations Analysis
Oklahoma	<p>Employers can't discriminate against employees and applicants with physical or mental disabilities, unless a bona fide occupational qualification exists. Employers also can't harass employees and applicants with physical or mental disabilities.</p>	<p>Employers must make reasonable accommodations to employees' and applicants' known disabilities. Examples of reasonable accommodations include making worksites usable by employees with disabilities, modifying equipment or tools so that they can be used by employees with disabilities, restructuring jobs, creating part-time or modified work schedules and reassigning employees to vacant positions. When interviewing applicants with disabilities, employers might have to provide interpreters if applicants are hearing impaired or conduct interviews in rooms accessible to applicants using wheelchairs. When conducting employment tests, employers might have to offer tests in Braille to employees and applicants who are blind or allow use of readers.</p> <p>Employers aren't required to make any accommodation that would create undue hardship, for example, the accommodation is unduly expensive or requires extensive physical or structural modifications to the workplace or would fundamentally change business operations. If a particular accommodation would result in undue hardship, however, employers still have to provide any alternative accommodation that is available and wouldn't create undue hardship.</p>
Oregon	<p>Employers can't discriminate based on disability if employees and applicants can perform their essential job functions with or without reasonable accommodations. Employers must make reasonable accommodations for the known physical or mental limitations of qualified employees and applicants with disabilities, unless these accommodations would impose undue hardship on their business operations.</p>	<p>Employers must make reasonable accommodations for the known physical or mental limitations of qualified employees and applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations. Employers can't deny employment opportunities to qualified employees and applicants with disabilities because of their need for such reasonable accommodations.</p> <p><i>Reasonable accommodations can include:</i></p> <ul style="list-style-type: none"> • making existing facilities readily accessible and usable for employees and applicants with disabilities; • job restructuring through part-time or modified work schedules or by reassigning employees to a vacant position; • acquiring or modifying equipment or devices; • modifying or adjusting examinations, training materials, policies, or job application processes; • providing qualified readers or interpreters; • providing leaves of absence;

State	Overview Analysis	Reasonable Accommodations Analysis
Oregon		<ul style="list-style-type: none"> modifying or adjusting the work environment or the manner or circumstances under which a job is normally performed; and making modifications or adjustments that allow employees with disabilities to enjoy the same benefits and privileges as similarly situated employees without disabilities. <p>Employers aren't required to provide reasonable accommodations for employees and applicants who don't have, but are regarded as having, physical or mental impairments that substantially limit one or more major life activities.</p> <p><i>Undue hardship</i> means that accommodations require significant difficulty or expense, as determined by:</p> <ul style="list-style-type: none"> the nature and cost of accommodations; affected facilities' overall financial resources and workforce size the impact of accommodations on affected facilities' expenses, resources, and operations; employers' overall financial resources and overall business size in terms of workforce size and the number, type, and location of their facilities; and employers' type of operations, including their workforce composition, structure, and functions, and the geographic separateness and administrative or fiscal relationship of affected facilities. <p>The reasonable accommodation requirements must be construed as consistent, to the extent possible, with similar provisions of the federal Americans with Disabilities Act.</p> <p>Interactive process: The reasonable accommodation requirements apply when qualified employees and applicants with disabilities request accommodations or otherwise disclose their possible accommodation needs to employers. When this request or disclosure is made, employers must initiate a meaningful, interactive process with employees and applicants to determine whether reasonable accommodations would allow them to perform their essential job functions. This informal process should identify potential accommodations</p>

State	Overview Analysis	Reasonable Accommodations Analysis
Oregon		<p>that are reasonable and mutually agreeable. If these accommodations aren't readily identifiable, the process should identify the nature of employees' and applicants' limitations that are relevant to potential accommodations.</p> <p>Or. Rev. Stat. §§ 659A.112, 659A.118 (2019 Or. Laws 71 (H.B. 2589)), 659A.121, 659A.139</p> <p>Or. Admin. R. 839-006-0200, 839-006-0205 to 839-006-0206</p>
Pennsylvania	<p>Employers can't discriminate against employees, applicants, and independent contractors based on a nonjob-related handicap or disability or the use of a guide or support animal because of blindness, deafness, or a physical handicap, unless this discrimination is based on a bona fide occupational qualification (BFOQ) or on applicable federal or Pennsylvania security regulations. Employers must make reasonable accommodations for people with a handicap or disability, unless these accommodations would impose undue hardship on employers.</p>	<p>Employers must make reasonable accommodations by modifying equipment and tools so they can be used by employees with a handicap or disability, unless these accommodations would impose undue hardship on employers. Employers also must allow these employees to provide their own equipment or tools in order to function properly in their job. In addition to the factors listed below, <i>undue hardship</i> in this context is determined based on factors such as how modifications would affect other employees' use of equipment, warranties on equipment, and whether modifications can be made under applicable health and safety laws.</p> <p>Employers must make reasonable accommodations through job modifications for employees with a handicap or disability, unless these accommodations would impose undue hardship on employers. Accommodations can include modifying duties or scheduling and the amount or nature of training or assistance provided. This requirement doesn't mean that employers have to apply different production, attendance, or disciplinary standards to employees with a handicap or disability.</p> <p>Employers can't unlawfully deny employment opportunities to people with a handicap or disability if the basis of the denial is their need for reasonable accommodations, unless these accommodations would impose undue hardship on employers. Employers also can't unlawfully limit, classify, or segregate people with a handicap or disability in ways that adversely affect their employment opportunities, although this prohibition doesn't mean that employers have to make accommodations that would impose undue hardship on them.</p>

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Pennsylvania		<p>Employers can't refuse to hire applicants, discharge or refuse to promote employees, or subject employees to different terms or conditions of employment based on a current nonjob-related handicap or disability that could become job-related or based on a past job-related handicap or disability that may or may not recur, although this prohibition doesn't mean that employers have to make accommodations that would impose <i>undue hardship</i> on them. In addition to the factors listed below, undue hardship in this context is determined based on factors such as the length, cost, and nature of required job training and the length of service that can reasonably be expected before the handicap or disability likely becomes job-related.</p> <p><i>Undue hardship</i> is determined based on factors such as:</p> <ul style="list-style-type: none"> • the overall size and nature of employers' business or organization, including the workforce size, structure, and composition and the number and type of facilities; • employers' prior good-faith efforts to accommodate similar handicaps or disabilities; • the extent, nature, and cost of needed accommodations; • the extent to which people with a handicap or disability can reasonably be expected to want the job that is the subject of an accommodation request; and • legal or proprietary interest in the subject of proposed accommodations, including the authority to make the accommodations under the terms of a bona fide agreement governing or describing rights and duties regarding the subject. <p>In addition, employers can't deny reasonable requests from applicants for assistance in completing the job application process.</p> <p>Workplace access: Employers must comply with the following requirements, except to the extent that doing so would impose undue hardship on them:</p> <ul style="list-style-type: none"> • A workplace must be designed and constructed without architectural and other barriers or omissions that interfere with the effective use of, entrance to, exit from, and mobility within buildings, work areas, offices, facilities, and similar areas by people with a handicap or disability if the workplace's final design and construction plans were completed after Nov. 6, 1978. Facilities include all or any part of buildings, structures, equipment, roads, walkways, parking lots, fixtures, and other property.

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Pennsylvania		<ul style="list-style-type: none"> If substantial alterations or alterations that could impact people with a handicap or disability are made to all or part of a workplace after that date, they must be planned and executed without those barriers or omissions in affected areas. In existing facilities, employers must make reasonable accommodations for people with a handicap or disability by eliminating those barriers or omissions. <p>Employers are in compliance if a workplace's design, construction, or alterations conform with relevant specifications issued by the American National Standards Institute or by the Pennsylvania Department of Labor and Industry Standards under the state's Architectural Barriers Law (71 Pa. Stat. §§ 1455.1 to 1455.3a). Departures from these specifications are compliant if they provide equivalent access or an equivalent opportunity to use workplace areas in an integrated setting.</p> <p>16 Pa. Code §§ 44.4 to 44.6, 44.11, 44.13 to 44.15</p>
Puerto Rico	<p>Employers can't discriminate against employees or applicants based on physical, mental, or sensory disabilities if they are qualified to perform the basic functions of their position, with or without reasonable accommodations.</p>	<p>Employers must make reasonable accommodations to ensure that qualified employees with disabilities can work effectively and productively, unless they can prove that these accommodations would create an extremely onerous financial burden. <i>Reasonable accommodations</i> are logical, adequate, or reasonable adjustments that allow qualified employees and applicants with physical, mental, or sensory disabilities to perform their job duties. They can include adjusting work areas, constructing physical facilities, acquiring specialized equipment, providing readers, assistants, drivers, or interpreters and other actions that reasonably facilitate workplace adjustments. <i>Extremely onerous financial burden</i> means a substantial expense or difficulty when considered in terms of the nature and expense of an accommodation, how it would affect business operations, the employer's financial resources, and the number of employees and type of business conducted at the applicable establishment.</p>

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Rhode Island	Employers can't discriminate based on disability. Employers also can't discriminate against qualified employees or applicants with disabilities solely because of their disabilities.	<p>Fair employment practices law: Employers can't refuse to reasonably accommodate employees' and applicants' disabilities, unless employers can show that these accommodations would impose a hardship on their business. Hardship means "undue hardship" as defined in R.I. Gen. Laws § 42-87-1.1.</p> <p>Disability discrimination law: Employees or applicants with disabilities aren't required to accept accommodations that they choose not to accept.</p> <p>Fair employment practices law: R.I. Gen. Laws § 28-5-7</p> <p>Disability discrimination law: R.I. Gen. Laws § 42-87-1.1</p>
South Carolina	Employers can't discriminate based on disability. They must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless these accommodations would impose undue hardship on business operations.	<p>Employers must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless employers can show that these accommodation would impose undue hardship on business operations. Employers can't deny employment opportunities to otherwise qualified employees and applicants with disabilities based on their need for reasonable accommodations for their physical or mental impairments.</p> <p><i>Reasonable accommodations</i> can include:</p> <ul style="list-style-type: none"> • making existing workplace facilities accessible and usable; • job restructuring; • part-time or modified work schedules; • reassignment to vacant positions; • acquiring or modifying equipment or devices; • adjusting or modifying examinations, training materials or policies; and • providing qualified readers or interpreters. <p><i>Undue hardship</i> means that an action requires significant difficulty or expense when considering the:</p> <ul style="list-style-type: none"> • nature and cost of a needed accommodation; • affected facility's overall financial resources and workforce size;

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South Carolina		<ul style="list-style-type: none"> • accommodation's impact on the affected facility's expenses, resources, and operations; • employer's overall financial resources; • employer's overall business size in terms of workforce size and the number, type, and location of its facilities; and • employer's type of operations, including its workforce composition, structure, or functions and its geographic separateness from and administrative or fiscal relationship with the affected facility. <p>S.C. Code Ann. §§ 1-13-30, 1-13-80 to 1-13-85</p>
South Dakota	<p>Employers can't discriminate against employees and applicants with physical or mental disabilities who have the skill, experience, education, and other legitimate qualifications for the positions they seek or hold and who can perform essential job duties.</p>	<p>Employers must make good-faith efforts to provide reasonable accommodations to employees and applicants with disabilities, unless doing so would create an undue hardship.</p> <p>S.D. Codified Laws § 20-13-23.7</p>
Tennessee	<p>Employers can't discriminate against employees or applicants based solely on their disabilities, unless such disabilities prevent them from performing required job duties or impair their work performance. Employers also can't discriminate against blind employees or applicants because they use guide dogs.</p>	<p>No state statutory or regulatory provisions apply generally to private-sector employment.</p>

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Texas	<p>Employers can't discriminate against employees and applicants based on disabilities that don't impair their ability to reasonably perform their job. However, employers can make disability-based hiring and employment decisions if disability is a bona fide occupational qualification that is reasonably necessary to normal business operations. They also can engage in practices that would otherwise violate the disability discrimination prohibitions if these practices are justified by business necessity and aren't intentionally devised or operated to evade the prohibitions.</p>	<p>Employers can't fail or refuse to make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations. Such a showing of undue hardship is a defense against discrimination complaints made by otherwise qualified employees and applicants with disabilities. In reviewing these complaints, the Texas Workforce Commission or courts consider the reasonableness of costs for needed accommodations and the availability of alternatives or other appropriate remedies. Employers aren't obligated to make reasonable accommodations for employees and applicants whose disabilities are solely based on being regarded as having impairments that substantially limit at least one major life activity.</p> <p>Covid-19 vaccine: For information about Covid-19 vaccine requirement exemptions based on medical reasons, see "Medical Condition Discrimination" in Texas Equal Employment Opportunity.</p> <p>Tex. Lab. Code Ann. §§ 21.0015 to 21.002, 21.128, 21.260</p>
Utah	<p>Employers can't discriminate against employees and applicants based on a physical or mental disability, because they're regarded as having a disability, or because they have a record of an impairment that substantially limits one or more major life activities. Employers must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless they can show that these accommodations would impose undue hardship on their business operations.</p>	<p>Employers must make reasonable accommodations for the known physical or mental limitations of otherwise qualified employees and applicants with disabilities, unless they can show that these accommodations would impose undue hardship on their business operations. Employers can't deny employment opportunities to qualified employees and applicants with disabilities based on their need for reasonable accommodations. Qualified means that employees and applicants with disabilities can perform their essential job functions with reasonable accommodations.</p> <p><i>Reasonable accommodations</i> can include making facilities readily accessible or usable, job restructuring, modified work schedules, and acquiring or modifying equipment or devices. Undue hardship depends on factors such as employers' overall business size in terms of workforce size, number and type of facilities, and budget size; employers' type of operations, including workforce composition and structure; and the nature and cost of needed accommodations.</p> <p>Utah Code Ann. §§ 34A-5-102, 34A-5-106</p> <p>Utah Admin. Code §§ R606-1-1 to 606-1-2</p>

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Vermont	<p>Employers can't discriminate against employees and applicants with disabilities, who can perform their essential job functions with reasonable accommodations, unless a bona fide occupational qualification requires persons of a particular physical or mental condition. Employers must provide reasonable accommodations for employees and applicants with disabilities, unless these accommodations would impose undue hardship on employers.</p>	<p>Employers must provide reasonable accommodations for employees and applicants with disabilities, unless these accommodations would impose undue hardship on employers. <i>Reasonable accommodations</i> are changes and modifications that can be made to a job's structure or how a job is performed. They can include:</p> <ul style="list-style-type: none"> making facilities used by employees, including common areas such as hallways, restrooms, cafeterias, and lounges, readily accessible to and usable by persons with disabilities; job restructuring and part-time or modified work schedules; and acquiring or modifying equipment or devices. <p><i>Undue hardship</i> is determined based on factors such as the cost of reasonable accommodations and employers' overall workforce size, number and type of facilities, and budget.</p> <p>Vt. Stat. Ann. tit. 21, §§ 495, 495c to 495d, 495f</p>
Virginia	<p>Employers can't discriminate against otherwise qualified employees or applicants with disabilities solely because of their disabilities. An employer must provide reasonable accommodations for the known physical and mental impairments of otherwise qualified employees with disabilities if the accommodations are needed to assist them in performing a particular job, unless the accommodations would impose an undue burden on the employer.</p>	<p>Disability discrimination law: An employer must provide reasonable accommodations for the known physical and mental impairments of otherwise qualified employees with disabilities if these accommodations are needed to assist them in performing a particular job, unless the employer can show that the accommodations would impose an undue burden.</p> <p>The following factors are considered in determining whether accommodations would impose an undue burden:</p> <ul style="list-style-type: none"> the hardship on the employer's business, taking into account the nature of its operations and its workforce composition and structure; the affected facility's size; the nature and cost of the accommodations, taking into account alternate sources of funding or technical assistance available under Va. Code Ann. § 51.5-173; the possibility that the same accommodations could be used by other employees; and the safety and health considerations of employees with disabilities, other employees, and the public.

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Virginia		<p>Employers have the right to choose among equally effective accommodations. Employers aren't required to provide accommodations that are precluded under a lease's terms or are prohibited by laws, ordinances, or regulations. Employers can make building modifications to provide reasonable accommodations without modifying the rest of an existing building to comply with Virginia's Uniform Statewide Building Code requirements.</p> <p>Va. Code Ann. § 51.5-41</p> <p>Fair employment practices law: An employer can't refuse to make reasonable accommodations for the known physical and mental impairments of otherwise qualified people with disabilities, if necessary to assist them in performing a particular job, unless the employer can demonstrate that the accommodations would impose undue hardship.</p> <p>Consideration of whether an accommodation would constitute an undue hardship is based on:</p> <ul style="list-style-type: none"> hardship on the conduct of the employer's business, considering the nature of its operations and its workforce composition and structure; size of the facility where employment occurs; the nature and cost of the accommodations needed, taking into account alternative sources of funding or technical assistance available under Va. Code Ann. § 51.5-173; the possibility that the same accommodations may be used by other prospective employees; and the safety and health considerations of employees with disabilities, other employees, and the public. <p>Employers also can't:</p> <ul style="list-style-type: none"> take an adverse action against employees who request or use reasonable accommodations; deny employment or promotion opportunities to otherwise qualified applicants or employees because the employer will be required to make reasonable accommodations for a disability; require an employee to take leave if another reasonable accommodation can be provided to the known limitations related to the disability;

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Virginia		<ul style="list-style-type: none"> fail to engage in a timely, good faith interactive process with an employee who has requested an accommodation to determine if the requested accommodation is reasonable, and, if it is determined that the accommodation is not reasonable, discuss alternatives <p>Va. Code Ann. § 2.2-3905.1</p>
Washington	<p>Employers can't discriminate based on the actual or perceived presence of sensory, mental, or physical disabilities or use of trained dog guides or service animals by people with disabilities, unless a bona fide occupational qualification applies. Employers must make reasonable accommodations for qualified employees or applicants with disabilities and for their use of trained dog guides or service animals, unless employers can prove that these accommodations would impose undue hardship.</p>	<p>Employers can't fail or refuse to make reasonable accommodations for employees or applicants with disabilities who can perform their job with or without reasonable accommodations, unless employers can prove that these accommodations would impose undue hardship. Employers also can't fail or refuse to make reasonable accommodations for the use of trained dog guides or service animals by employees or applicants with disabilities who can perform their job with or without reasonable accommodations, unless employers can prove that these accommodations would impose undue hardship.</p> <p><i>Reasonable accommodations</i> are measures that enable equal opportunity in the application process, proper performance of a particular job, or the enjoyment of equal benefits, privileges, or terms and conditions of employment. They can include adjusting job duties, work schedules, or the scope of work; changing the job setting or conditions of work; and informing employees of vacant positions and considering them for those positions for which they are qualified. Undue hardship means that the cost or difficulty of accommodations is unreasonable when considering factors such as employers' size and available resources, whether the cost can be included in planned remodeling or maintenance projects; and the requirements of other laws and contracts.</p> <p>To qualify for reasonable accommodations, impairments must be known or shown through an interactive process to exist and:</p> <ul style="list-style-type: none"> they must have a substantially limiting effect on employees' or applicants' ability to perform their job, ability to apply or be considered for a job, or access to equal benefits, privileges, or terms and conditions of employment; or employees must have notified employers about the existence of these impairments, and medical documentation must establish a reasonable likelihood that engaging in job functions without accommodations would aggravate the impairments to the point of having that substantially limiting effect.

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Washington		<p>Employers can seek a health-care professional's opinion on whether a particular disability affects an employee's or applicant's job performance if this professional is licensed to diagnose and assess the disability. Employers also can seek the professional's opinion on possible effective accommodations that would enable the employee or applicant to perform a job. An opinion on whether a person with a disability can perform a job must be based on the person's individual capabilities instead of generalizations about the capabilities of all people with the same disability. It also must be based on knowledge of the actual sensory, mental, or physical qualifications needed to perform the job.</p> <p>[Note: The Washington Supreme Court has held that reasonable accommodations don't include providing an employee with a new supervisor. <i>Snyder v. Med. Serv. Corp. of Eastern Washington</i>, 35 P.3d 1158, 1163 (Wash. 2001).]</p> <p>Public health emergencies: During a public health emergency, employers are prohibited from discharging, permanently replacing, or in any manner discriminating against an employee who is high risk as a result of the employee seeking an accommodation that protects them from the risk of exposure to the infectious or contagious disease or, if no accommodation is reasonable, using all available leave options, including leave without pay and unemployment insurance, until the end of the public health emergency or an accommodation is made available. An employee who is high risk means an employee who:</p> <ul style="list-style-type: none"> • due to age or an underlying health condition, is at a high risk of severe illness from the disease that is the subject of the public health emergency, as defined by the centers for disease control and prevention; and • a medical provider has recommended the employee's removal from the workplace because of their high risk of severe illness. <p><i>Public health emergency</i> means a declaration or order concerning any infectious or contagious diseases, including a pandemic, and is issued when:</p> <ul style="list-style-type: none"> • the President of the United States has declared a national or regional emergency that covers every county in Washington; or • the Governor of Washington has declared a state of emergency under Wash. Rev. Code § 43.06.010(12) in every county in the state.

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West Virginia	<p>Employers can't discriminate against applicants or employees with physical or mental disabilities who have the skill, experience, education, or other legitimate qualifications for the positions they seek or hold and who can perform essential job duties with or without reasonable accommodation, unless based on a bona fide occupational qualification. Employers must make reasonable accommodations for applicants' and employees' known physical or mental disabilities, unless they can show that these accommodations would cause undue hardship.</p>	<p>When an applicant or employee requests accommodation of a disability, employers must make adjustments or modifications on a case-by-case basis that enable the applicant or employee to be hired or remain in the position for which he or she was hired. Examples of reasonable accommodations include making existing facilities usable by employees with disabilities, restructuring jobs, creating part-time or modified work schedules, reassigning employees to vacant positions, conducting sensitivity training for co-workers, or modifying equipment or tools so that they can be used by employees with disabilities. When interviewing applicants with disabilities, employers might have to provide interpreters if applicants are hearing impaired or conduct interviews in rooms accessible to applicants using wheelchairs. When conducting employment tests, employers might have to offer tests in Braille to applicants or employees who are blind or allow their use of readers.</p> <p>Employers must accommodate the disabilities of employees that arise during employment by continuing the employee in the same position or reassigning the employee to a new position for which he or she is qualified or may become qualified with training.</p> <p>Employers aren't required to make any accommodation that would create undue hardship because (for example) it would be unduly expensive, require extensive physical or structural modifications to the workplace, or fundamentally change business operations. If a particular accommodation would result in undue hardship, however, employers still have to provide any alternative accommodation that is available and wouldn't create undue hardship.</p> <p>Covid-19 vaccine: For information related to employee exemptions from employer Covid-19 immunization requirements, see West Virginia Equal Employment Opportunity.</p> <p>W. Va. Code §§ 5-11-3, 5-11-9, 5-11-19, W. Va. Code St. R. §§ 77-1-2, 77-1-4 to 77-1-5, 77-7-2</p>
Wisconsin	<p>Employers can't discriminate against qualified employees or applicants based on disability. Employers must reasonably accommodate employees' and applicants' disabilities, unless these accommodations would impose a hardship on employers' business.</p>	<p>Employers can't refuse to reasonably accommodate employees' and applicants' disabilities, unless employers can show that these accommodations would impose a hardship on their business.</p> <p>Wis. Stat. §§ 111.31 to 111.32, 111.321 to 111.325, 111.34, 452.38</p>

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Wyoming	<p>Employers can't discriminate against employees and applicants with disabilities who can perform their job or would be able to perform their job with reasonable accommodations. Employers must provide reasonable accommodations for the known physical or mental impairments of qualified employees and applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations.</p>	<p>Employers must provide reasonable accommodations for the known physical or mental impairments of qualified employees and applicants with disabilities, unless employers can show that these accommodations would impose undue hardship on their business operations.</p> <p><i>Reasonable accommodations</i> are modifications or adjustments to a job, the work environment, or usual practices that enable qualified employees and applicants with disabilities to have the same employment opportunities as other employees and applicants. These accommodations can include:</p> <ul style="list-style-type: none"> • making workplace facilities accessible and usable; • job restructuring; • modified work schedules; • acquiring or modifying equipment or devices; and • providing qualified readers or interpreters. <p><i>Undue hardship</i> means that an action is excessively costly, extensive, substantial, or disruptive or that it would fundamentally alter the nature or operation of employers' business. The following factors are considered in determining undue hardship:</p> <ul style="list-style-type: none"> • the nature and cost of accommodations in relation to the size of employers' business; • employers' financial resources; and • the impact of accommodations on the nature and structure of employers' business operations. <p>Wyo. Stat. Ann. §§ 27-9-102, 27-9-105</p> <p>053-0024 Wyo. Code R. §§ 3, 5</p>