

JOB READY SERVICES



10 Myths About the New ADA That Will Cost You

August 2009



News

Debra Lord Featured Speaker

Debra will be speaking at the following conferences:

CMSA

COEMA

NC PRIMA

Mid-State Safety

AHHC

Safety & Health Council

One more thing...

We hear HR Managers say that if someone is qualified on paper, then they are safe to do the job. That could not be further from the truth. The ADA and EEOC both say that employers have the right to have employees show them how they will safely perform the essential functions of their job. Keep your employees safe and control your costs!!

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I recently attended a symposium where Frank Alvarez, Esq, an attorney with Jackson Lewis spoke about reducing absenteeism and presenteeism costs for employers. Mr. Alvarez is one of our country's leading authorities on Disability Management Practices and FMLA as well as ADA issues. He reassured employers who were already using objective methods of identifying essential functions and testing their employees—these employers are in compliance with the new ADA and EEOC. However, he did offer the following 10 myths for consideration. If any of these sound familiar because they are your present policy, we need to hear from you.

Myth # 1: Employers need only accommodate “permanent” restrictions.

Myth # 2: Employers providing “light duty” are satisfying their ADA obligations.

Myth # 3: Carpal Tunnel (and other repetitive/cumulative trauma injuries) are not ADA disabilities.

Myth # 4: Medical information and documentation obtained through worker's comp and STD programs must be withheld from HR and managers attempting to accommodate employees.

Myth # 5: Worker's compensation settlements resolve ADA liability and/or claims.

Myth # 6: Employers may terminate employees unable to return to work after reaching MMI.

Myth # 7: Employers may insist employees be released to “full duty” before returning to work.

Myth # 8: Employees may be disciplined or discharged for failing to comply with return to work program requirements.

Myth # 9: Employers may require comprehensive medical exams before returning injured or ill employees to work.

Myth # 10: The ability to perform jobs safely is an “essential function”.

For more information and to find out the “reality” to all of these myths, visit our website: www.jobreadyservices.net. - Debra Lord

UPCOMING EVENTS

LUNCH & LEARN: Thursday, October 22, 2009

Job Ready office— 12:00 pm—1:00pm

AGE AND ERGONOMICS

Debra Lord

Approval Pending: DOI, CCM and OHN

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