



ADAAA Interactive Management



What is the ADAAA?

The ADA Amendments Act of 2008 enacted changes to the Americans with Disabilities Act, which prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications and governmental activities. The ADAAA broadened the definition of "disability," countering past court rulings that often focused on who was covered and who had significant impairments.

While most disability management programs cover transitional return to work, light duty, and stay-at-work (SAW) programs for family medical leave, employers have traditionally paid less attention to the broader ADAAA requirements. This oversight leaves them open to significant Equal Employment Opportunity Commission (EEOC) violations, in which an individual incident could result in six-figure penalties.

Genex's ADAAA Interactive Management

Instead, employers can ensure ADAAA compliance by adopting consistent management practices to address these requests. Through its centralized Genex SAW/ADAAA unit, Genex incorporates best practice services to assist employers in developing a documented, interactive ADAAA-compliant process that includes the following:

- › Documentation of duration of stay-at-work/return-to-work/transitional work programs to use as guidelines
- › Detailed preexisting job descriptions with job bank development and physical demand analysis (PDA) support
- › Recording and documentation process to respond to employee or acting agent requests
- › Developmental support of a correspondence library to document each step of the accommodation process
- › Reporting platform that documents and records all employee absences, data and related time-off issues
- › Post hoc analysis documentation to demonstrate good faith activities by the employer, even if accommodation requests are not fulfilled

Why Choose Genex?

Genex's dedicated SAW/ADAAA unit staff is committed to helping employers stay compliant with ADAAA. These knowledgeable professionals use their expertise to:

- › Educate employer on ADAAA accommodation requirements due to workers' comp, non-occupational claims, FMLA or pre-disability requests
- › Contact attending health care providers for clarification and expected durations to support accommodation program entrance
- › Interact with employee's direct supervisor to outline solutions to return to work or SAW programs
- › Provide recommendations to employer's human resource department as to whether accommodations are feasible