

## Interactive Process Checklist and Reminders

All employees need the right tools and work environment to effectively perform their jobs. Similarly, individuals with disabilities may need workplace adjustments — or accommodations — to maximize their productivity.

Under the [Americans with Disabilities Act \(ADA\)](#), an accommodation is considered any modification or adjustment to a job or work environment that enables a qualified person with a disability to apply for or perform a job. The term also encompasses alterations to ensure a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities. The obligation to provide reasonable accommodations for job applicants or employees with disabilities is one of the key non-discrimination requirements in the ADA's employment provisions and is accomplished by conducting an Interactive Process.

The following checklist and reminder are helpful guidance on how this process should be conducted, what should be discussed, and what needs to be documented.

### MnDOT's ADA interactive process checklist

The following factors are integral to an effective completion of the interactive process as required by the ADA:

1. Identify the position at issue.
2. List the essential job functions of the position if they haven't already been clearly identified. (Include a review of any applicable job descriptions or memorandums indicating or describing the duties and responsibilities).
3. To understand the full scope of the position, also list the marginal or nonessential job functions.
4. Identify each restriction or limitation of the employee that may affect their ability to engage in a function or process that's associated with the work. The focus should be on job performance and where the intersection of the disability or health condition interferes with the ability for the employee to perform job duties.
5. If not already submitted, arrange for the employee to submit a note or statement from their medical provider which identifies the limitation on the physical or mental ability of the employee. Any request should relate only to the limitation on work-related functions. There is no need to inquire about or receive information about the nature or extent of the illness or injury. (For example, the physician should indicate that there is a limitation on repetitive motions or using pneumatic tools instead of stating that the employee has carpal tunnel symptoms.). Remember, NO MEDICAL RECORDS SHOULD BE REQUESTED OR COLLECTED. The ADA Request for Medical Certification form may be used for this purpose.

6. You should engage in a meeting or series of meetings with the employee to assess the limitations and discuss and identify needed accommodations, if any, to enable them to perform all of the essential job functions of the position.
7. During the interactive process with the employee, first review and confirm the limitations provided by the physician. It is very important to document this conversation as it becomes the foundation for the discussion (interaction) moving forward.
8. If the employee doesn't agree with the limitations, they need to obtain clarification from the physician. If there seems to be good reason to get a second opinion, we will need to follow the applicable provisions of the ADA. Please consult with the [Disability Programs Coordinator](#) (contact information at end of this document).
9. Review each accommodation proposed by either side for feasibility and effectiveness. Document the entire conversation by listing each proposed accommodation and indicating its viability. This will require an open and honest exchange of ideas from both parties. This is the essence of an interactive process. It is often helpful for the employee to have recommendations in mind; however, this is not a requirement.
10. If questions arise regarding the manner or way in which a particular limitation may be accommodated, you may contact the [Disability Programs Coordinator](#) for assistance.
  - Another good resource to consult is the Job Accommodation Network for confidential advice and information. The Job Accommodation Network is a program sponsored by the Department of Labor (DOL) and is available to employees and/or employers. They may be contacted via phone at (800) 526-7234 or visit their website at <http://www.askjan.org>.
11. If you believe a requested accommodation imposes a potential undue hardship on MnDOT or is a safety risk for the employee or other employees, please refer the matter to the [Affirmative Action Office](#) to evaluate and document. We will do this with your assistance.
12. Please give careful consideration to the employee's accommodation preference but select and implement the accommodation that will be most effective and appropriate for both MnDOT and the employee.
13. Conclude the interactive process by documenting a plan for implementing the selected accommodation(s) with clear timetables provided. This becomes the ADA Accommodation Agreement/Summary.
14. Confirm with the employee in writing that the agreed upon plan covers their limitations and details of the accommodation(s) that will be implemented.
15. Meet with the employee to establish or implement the accommodation(s) and periodically confirm with the employee that the accommodation(s) is/are effective. Document the plans progress.
16. If the agreed upon accommodation(s) is/are not effective, engage in additional discussions (interactions) until an effective accommodation is found.

This flexible, dynamic and fluid interactive process must be used by both supervisors and/or managers who need to determine if a reasonable accommodation is available for an employee experiencing issues with job performance related to a disability or medical condition. This process is also required for job applicants as a part of the job application process. Documentation of each step of the process is very important.

**For further guidance or to obtain assistance, please contact:**

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