

Sencenbaugh in HR Dive: 7 Ways to Screw Up the ADA's Interactive Process

By Adam H. Sencenbaugh | July 13, 2018

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HR Dive quoted Haynes Boone Partner [Adam Sencenbaugh](#) in an article about the mistakes employers can make in applying the American Disabilities Act guidance that employers use an “interactive process” in determining whether there is a reasonable accommodation they can offer to workers with disabilities.

Here is an excerpt:

For employers, the hard part often is knowing when to kick off the process according to Adam Sencenbaugh, a partner at Haynes Boone.

"You rarely see an employee who knows about the ADA and asks for a reasonable accommodation," he told *HR Dive*; "You need to start the process even if they haven't used any magic words." ...

"If you're trying to determine whether an accommodation will work, good documentation and particularly a good and accurate job description" are key, said Sencenbaugh. "It's hard to convince a jury or agency that an essential function truly is an essential function if it's not in the job description, or if other employees in the role weren't performing it."

"Document the whole thing from start to finish — either you did the process or you didn't," he said. "If it won't work, you can show you did all you could have done. If you are claiming undue hardship, you need to be able to articulate why you've met that standard."

To read the full article, click [here](#).