

Practical Solutions • Workplace Success

# **Accommodation and Compliance Series**

# **Accommodation and Compliance Series: Employees** with Fetal Alcohol Syndrome

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Funded by a contract with the Office of Disability **Employment Policy, U.S. Department of Labor** 

### **Preface**

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Updated 09/12/2022.

# JAN'S Accommodation and Compliance Series

### Introduction

JAN's Accommodation and Compliance Series is designed to help employers determine effective accommodations and comply with Title I of the Americans with Disabilities Act (ADA). Each publication in the series addresses a specific medical condition and provides information about the condition, ADA information, accommodation ideas, and resources for additional information.

The Accommodation and Compliance Series is a starting point in the accommodation process and may not address every situation. Accommodations should be made on a case by case basis, considering each employee's individual limitations and accommodation needs. Employers are encouraged to contact JAN to discuss specific situations in more detail.

For information on assistive technology and other accommodation ideas, visit JAN's Searchable Online Accommodation Resource (SOAR) at <a href="https://AskJAN.org/soar">https://AskJAN.org/soar</a>.

# Information about Fetal Alcohol Syndrome

Fetal alcohol syndrome (FAS) is a common, yet preventable condition that results from prenatal alcohol exposure. The impairments that are part of fetal alcohol syndrome are irreversible and can include serious physical, mental, and behavioral problems with possible life-long implications. The severity of the impairments varies, with some individuals experiencing them to a far greater degree than others. As many as 40,000 babies are born with some type of alcohol-related impairment each year in the United States.

FAS is not a single birth defect; it is a cluster of related problems, the most severe of a group of consequences of prenatal alcohol exposure. Collectively, the range of disorders is known as fetal alcohol spectrum disorders (FASD). Signs of FAS may include distinctive facial features; heart, kidney, and bone defects; slow physical growth before and after birth; vision and/or hearing difficulties; small head circumference and brain size; poor coordination; sleep problems; intellectual impairments' delayed development' and learning disorders. Behavioral issues associated with FAS include short attention span; hyperactivity; extreme nervousness and anxiety; and poor impulse control, reasoning, and judgment skills.

JAN's <u>Accommodation Solutions: Executive Functioning Deficits</u> is a publication detailing accommodations for individuals with limitations related to executive functioning. These ideas may be helpful in determining accommodations.

# Fetal Alcohol Syndrome and the Americans with Disabilities Act

The ADA does not contain a list of medical conditions that constitute disabilities. Instead, the ADA has a general definition of disability that each person must meet. A person has a disability if he/she has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or is regarded as having an impairment. For more information about how to determine whether a person has a disability under the ADA, see <a href="How to Determine Whether a Person Has a">How to Determine Whether a Person Has a</a> Disability under the Americans with Disabilities Act Amendments Act (ADAAA).

# Accommodating Employees with Fetal Alcohol Syndrome

People with FAS may develop some of the limitations discussed below, but seldom develop all of them. Also, the degree of limitation will vary among individuals. Be aware that not all people with FAS will need accommodations to perform their jobs and many others may only need a few accommodations. The following is only a sample of the possibilities available. Numerous other accommodation solutions may exist.

#### **Questions to Consider:**

- 1. What limitations is the employee experiencing?
- 2. How do these limitations affect the employee and the employee's job performance?
- 3. What specific job tasks are problematic as a result of these limitations?
- 4. What accommodations are available to reduce or eliminate these problems? Are all possible resources being used to determine possible accommodations?
- 5. Once accommodations are in place, would it be useful to meet with the employee to evaluate the effectiveness of the accommodations and to determine whether additional accommodations are needed?
- 6. Do supervisory personnel and employees need training?

### **Accommodation Ideas:**

### Limitations

**Executive Functioning Deficits** 

- Apps for Concentration
- Apps for Memory
- Calendars and Planners

- Checklists
- Color Coded System
- Cubicle Doors, Shields, and Shades
- Environmental Sound Machines / Tinnitus Maskers / White Noise Machines
- Extra Time
- Flexible Schedule
- Form Generating Software
- Full Spectrum or Natural Lighting Products
- Job Coaches
- Job Restructuring
- Marginal Functions
- Memory Software
- Modified Break Schedule
- Noise Canceling Earbuds
- Noise Canceling Headsets
- On-site Mentoring
- Recorded Directives, Messages, Materials
- Reminders
- Sound Absorption and Sound Proof Panels
- Speech Recognition Software
- Sun Boxes and Lights
- Sun Simulating Desk Lamps
- Timers and Watches
- Written Instructions

### Handling/Fingering

- Industrial
- Anti-vibration Gloves
- Anti-vibration Tool Wraps
- Compact Material Handling
- Ergonomic and Pneumatic Tools

- Ergonomic Equipment
- Extra Grip Gloves
- Grip Aids
- Vacuum Pickup Tools
- Office Equipment
  - Alternative Input Devices
  - Alternative Keyboards
  - Alternative Mice
  - Articulating Keyboard Trays
  - Book Holders
  - Ergonomic and Pneumatic Tools
  - Ergonomic Equipment
  - Expanded Keyboards
  - Forearm Supports
  - Grip Aids
  - Miniature Keyboards
  - On-Screen Keyboards
  - One-Handed Keyboards
  - Page Turners
  - Scribe/Notetaker
  - Speech Recognition Software
  - Typing / Keyboarding Aids
  - Writing Aids
- Other
- Aide/Assistant/Attendant
- Money Handling Products
- Periodic Rest Breaks

### Learning

- Additional Training Time / Training Refreshers
- Aide/Assistant/Attendant
- Job Coaches

- Job Restructuring
- Literacy Skills Development
- Marginal Functions
- On-site Mentoring
- Social Skill Builders
- Support Person
- Training Modifications
- Uninterrupted Work Time
- Written Instructions

### Managing Time

- Applications (apps)
- Apps for Organization/ Time Management
- Checklists
- Color Coded System
- Electronic Organizers
- Extra Time
- Fitness Trackers
- Marginal Functions
- PDAs, Notetakers, and Laptops
- Recorded Directives, Messages, Materials
- Reminders
- Smart Watches
- Supervisory Methods
- Support Person
- Task Flow Chart
- Task Separation
- Timers and Watches
- Verbal Cues
- Calendars and Planners
- Written Forms and Prompts
- Written Instructions

### Mathematics

- Apps for Learning Disabilities
- Apps for Mathematics
- Construction Calculators
- Counting/Measuring Aids
- Fractional, Decimal, Statistical, or Scientific Calculators
- Large Display Calculators or Adding Machines
- Large Display Thermometers
- Mathematics Software
- Talking Alarm Clocks
- Talking Blood Glucose Monitors
- Talking Blood Pressure Monitors
- Talking Calculators
- Talking Cash Register
- Talking Coin Counter/Sorter
- Talking Scales
- Talking Tape Measures
- Talking Thermometers
- Talking Watches

# Memory Loss

- Additional Training Time / Training Refreshers
- Apps for Memory
- Break Reminder Software
- Checklists
- Color Coded System
- Color-coded Manuals, Outlines, and Maps
- Electronic Organizers
- Extra Time
- Form Generating Software
- Medication Reminders
- Memory Software

- Notepad or White Board
- On-Screen "Ruler" / Strip
- Recorded Directives, Messages, Materials
- Reminders
- Supervisory Methods
- Support Person
- Timers and Watches
- Verbal Cues
- Voice Recorders
- Calendars and Planners
- Written Forms and Prompts
- Written Instructions

### Organizing/Planning/Prioritizing

- Apps for Organization/ Time Management
- Color-coded Manuals, Outlines, and Maps
- Electronic Organizers
- Ergonomic Equipment
- Job Coaches
- Job Restructuring
- On-site Mentoring
- Organization Software
- Professional Organizers
- Reminders
- Supervisory Methods
- Task Identification
- Task Separation
- Timers and Watches
- Calendars and Planners
- Workflow Management Software
- Written Instructions

### Reading

- Apps for Learning Disabilities
- Apps for Pronunciation
- Apps for Reading
- Color Contrast Overlays
- Color-coded Manuals, Outlines, and Maps
- Electronic Book (e-Book) Readers
- Electronic Dictionaries
- Literacy Skills Development
- Modified Written Materials
- On-Screen "Ruler" / Strip
- Optical Character Recognition (OCR) Systems Scan
- Portable or Handheld Readers
- Qualified Reader
- Reading / Highlighting Products
- Reading Pen
- Recorded Directives, Messages, Materials
- Screen Magnification and Screen Reading Combined
- Screen Magnification Software
- Screen Reading Software and Training
- Smart Pens
- Text Reader
- Word Processing Software

#### Stress Intolerance

- Apps for Anxiety and Stress
- Behavior Modification Techniques
- Communicate Another Way
- Complying with Behavior and Conduct Rules
- Counseling/Therapy
- Employee Assistance Program

- Environmental Sound Machines / Tinnitus Maskers / White Noise Machines
- Fitness Trackers
- Flexible Schedule
- Job Restructuring
- Marginal Functions
- Modified Break Schedule
- On-site Mentoring
- One-on-One Communication
- Policy Modification
- Positive Feedback
- Simulated Skylights and Windows
- Sun Boxes and Lights
- Sun Simulating Desk Lamps
- Supervisory Feedback
- Supervisory Methods
- Support Animal
- Support Person
- Telepresence
- Telework, Work from Home, Working Remotely

### Writing/Spelling

- Electronic Dictionaries
- Form Generating Software
- Line Guides
- PDAs, Notetakers, and Laptops
- Proofreading/ Copyediting Assistance
- Reference Books
- Screen Reading Software and Training
- Speech Recognition Software
- Verbal Responses
- Word Prediction/Completion and Macro Software

- Word Processing Devices
- Word Processing Software
- Writing Aids
- Writing/Editing Software
- Written Forms and Prompts

### **Work-Related Functions**

### **Policies**

- Additional Training Time / Training Refreshers
- Aide/Assistant/Attendant
- Environmental Sound Machines / Tinnitus Maskers / White Noise Machines
- Flexible Schedule
- Marginal Functions
- Modified Break Schedule
- Periodic Rest Breaks
- Physical/Social Distancing Signage
- Policy Modification
- Reassignment
- Service Animal
- Sleep Alerting Devices
- Strobe Lights
- Supervisory Methods
- Support Animal
- Telework, Work from Home, Working Remotely
- Touchless Faucets

### Stress

- Apps for Anxiety and Stress
- Behavior Modification Techniques
- Counseling/Therapy
- Environmental Sound Machines / Tinnitus Maskers / White Noise Machines

- Flexible Schedule
- Job Coaches
- Job Restructuring
- Marginal Functions
- Modified Break Schedule
- Monitor Mirrors
- Odor Control
- On-site Mentoring
- Service Animal
- Simulated Skylights and Windows
- Strobe Lights
- Supervisory Methods
- Support Animal
- Support Person
- Telework, Work from Home, Working Remotely
- Uninterrupted Work Time

### Situations and Solutions:

# A grocery store bagger named Wanda had fetal alcohol syndrome.

She wanted to hug everyone who came into the store, as well as her coworkers. Some customers were open to it, but many were not. The employer hired a job coach to help Wanda understand the inappropriateness of hugging customers and coworkers alike. The coach worked successfully with her, and was able to fade out her direct involvement, but remained available to support Wanda as needed.

# Luis is an automotive repair technician with fetal alcohol syndrome who is highly distractible and inattentive to his tasks.

As an accommodation, he was provided with a mechanic's stool with color-coded shelves. Luis' supervisor helped him "load" the stool with regularly used tools. He was also given a daily checklist.

# James is production worker with motor difficulties as a result of fetal alcohol syndrome.

He found it nearly impossible to stuff plastic bags with the required craft materials for each kit he assembled. His employer provided a small wooden box with a clip to hold the bag upright so James could assemble the complete kits more effectively.

# Isaiah is a janitorial employee with fetal alcohol syndrome who had difficulty organizing his supplies and knowing what to do differently in various areas.

To accommodate him, the employer color-coded the rooms and the lists of needed supplies for each of the different areas. Isaiah was also provided with a color-coded flip chart for the varied tasks.

# Trinity, a new employee with fetal alcohol syndrome passed her probationary period with flying colors.

She started to experience the gradual withdrawal of the job coach who had been instrumental in the her success. The supervisor began to see a few issues resurface. The employer recruited a co-worker that had formed a positive relationship with Trinity to function as a natural support to her after the job coach was gone, providing the same type of support.

# A country club employee named Sean had fetal alcohol syndrome and was having difficulty getting motivated in the mornings to begin his work tasks.

Extended training on how to do the tasks, along with a task list in picture form were not successful motivators. The employer noticed that a friendship had developed between Sean and a pro shop employee. The pro shop employee described the relationship as a grandfatherly one. He began to mentor Sean by doing periodic "checks" on him during the mornings. The response was very positive, and Sean worked successfully, seemingly eager to please his new friend.

Darius, an individual with fetal alcohol syndrome, works in a noisy warehouse environment and has difficulty understanding verbal communication from his supervisor.

Unsure of exactly what the issue was, JAN suggested she consider the environment and what is going on around Darius first to determine if the background noises and voices were a distraction to him. Other ideas to enhance communication included speaking slowly and pausing while talking to allow more time for the information to be processed, speaking directly to and making eye contact with Darius to make sure that she had his attention. Speaking in clear short sentences, avoiding words or terms that are complicated, technical, and difficult to understand may also be effective.

# **Products**

There are numerous products that can be used to accommodate people with limitations. JAN's Searchable Online Accommodation Resource at <a href="https://AskJAN.org/soar">https://AskJAN.org/soar</a> is designed to let users explore various accommodation options. Many product vendor lists are accessible through this system; however, JAN provides these lists and many more that are not available on the Web site upon request. Contact JAN directly if you have specific accommodation situations, are looking for products, need vendor information, or are seeking a referral.

# Resources

### **Job Accommodation Network**

West Virginia University PO Box 6080 Morgantown, WV 26506-6080 Toll Free: (800) 526-7234

TTY: (304) 293-7186 Fax: (304) 293-5407

jan@askjan.org https://askjan.org

The Job Accommodation Network (JAN) is a free consulting service that provides information about job accommodations, the Americans with Disabilities Act (ADA), and the employability of people with disabilities.

### Office of Disability Employment Policy

200 Constitution Avenue, NW, Room S-1303 Washington, DC 20210 Toll Free: (866) 633-7365

odep@dol.gov

https://www.dol.gov/agencies/odep

The Office of Disability Employment Policy (ODEP) is an agency within the U.S. Department of Labor. ODEP provides national leadership to increase employment opportunities for adults and youth with disabilities while striving to eliminate barriers to employment.

### American Association on Intellectual and Developmental Disabilities

501 3rd Street, NW Suite 200 Washington, DC 20001

Toll Free: (800) 424-3688 Direct: (202) 387-1968 Fax: (202) 387-2193 http://www.aaidd.org American Association on Intellectual and Developmental Disabilities (AAIDD) has been providing worldwide leadership in the field of intellectual and developmental disabilities. We're a powerful community of leaders with a strong voice and important mission.

# **American Pregnancy Association**

425 Greenway Drive Suite 440 Irving, TX 75038

Toll Free: (800) 672-2296 info@americanpregnancy.org http://americanpregnancy.org/

The American Pregnancy Association is a national health organization committed to promoting reproductive and pregnancy wellness through education, support, advocacy, and community awareness.

### **Centers for Disease Control and Prevention**

1600 Clifton Rd Atlanta, GA 30333 Toll Free: (800) 232-4636

https://www.cdc.gov/

The Centers for Disease Control and Prevention are dedicated to protecting the health and safety of people - at home and abroad, providing credible information to enhance health decisions, and promoting health through strong partnerships.

### **Families Moving Forward Program**

2001 Eighth Avenue Suite 400 Seattle, WA 98121 Direct: (206) 987-7581

familiesmovingforward@seattlechildrens.org

http://depts.washington.edu/fmffasd/

The Families Moving Forward (FMF) Program helps children with fetal alcohol spectrum disorders (FASD), their families, and the professionals who care for them. It is a positive parenting program designed for children from ages 3 to 13 (approximately).

# Fetal Alcohol Spectrum Disorders: Center for Excellence

2101 Gaither Road Suite 500 Rockville, MD 20850 Toll Free: (866) 786-7327

fasdcenter1@ngc.com

http://www.fascenter.samhsa.gov/

The mission of the FASD Center for Excellence is to facilitate the development and improvement of behavioral health prevention and treatment systems in the United States by providing national leadership and facilitating collaboration and information sharing in the field.

# **Genetic and Rare Diseases Information Center (GARD)**

P.O. Box 8126 Gaithersburg, MD 20898-8126 Toll Free: (888) 205-2311

Fax: (301) 251-4911

https://rarediseases.info.nih.gov/

The Genetic and Rare Diseases (GARD) Information Center is a program of the National Center for Advancing Translational Sciences (NCATS) and funded by two parts of the National Institutes of Health (NIH): NCATS and the National Human Genome Research Institute (NHGRI). GARD provides the public with access to current, reliable, and easy to understand information about rare or genetic diseases in English or Spanish.

### **March of Dimes Foundation**

1275 Mamaroneck Avenue White Plains, NY 10605 http://www.marchofdimes.org/ The mission of the March of Dimes is to improve the health of babies by preventing birth defects, premature birth and infant mortality.

### Mayo Clinic

13400 E. Shea Blvd. Scottsdale, AZ 85259 Direct: (480) 301-8000 http://www.mayoclinic.org/

The Mayo Clinic's mission to inspire hope and contribute to health and well-being by providing the best care to every patient through integrated clinical practice, education and research.

#### **MedlinePlus**

8600 Rockville Pike Bethesda, MD 20894 <u>custserv@nlm.nih.gov</u> https://medlineplus.gov

MedlinePlus is the National Institutes of Health's Web site for patients and their families and friends. Produced by the National Library of Medicine, the world's largest medical library, it brings you information about diseases, conditions, and wellness issues in language you can understand. MedlinePlus offers reliable, up-to-date health information, anytime, anywhere, for free.

# **National Association of Councils on Developmental Disabilities**

1825 K Street, NW, Suite 600 Washington, DC 20006 Direct: (202) 506-5813 Fax: (202) 506-5846

info@nacdd.org

http://www.nacdd.org/home/

NACDD is the national association for the 56 State and Territorial Councils on Developmental Disabilities (DD Councils) which receive federal funding to support

programs that promote self-determination, integration, and inclusion for all Americans with developmental disabilities.

### **National Center for Biotechnology Information**

8600 Rockville Pike Bethesda, MD 20894 <u>pubmedcentral@ncbi.nlm.nih.gov</u> https://www.ncbi.nlm.nih.gov/

The National Center for Biotechnology Information advances science and health by providing access to biomedical and genomic information.

# **National Organization for Rare Disorders**

55 Kenosia Avenue Danbury, CT 06813-1968 Toll Free: (800) 999-6673 Direct: (203) 744-0100

Fax: (203) 263-9938

http://www.rarediseases.org

NORD is a unique federation of voluntary health organizations dedicated to helping people with rare "orphan" diseases and assisting the organizations that serve them. NORD is committed to the identification, treatment, and cure of rare disorders through programs of education, advocacy, research, and service.

# **National Organization on Fetal Alcohol Syndrome**

1200 Eton Court, NW Third Floor Washington, DC 20007 Toll Free: (800) 666-6327 Direct: (202) 785-4585

Direct: (202) 785-4585 Fax: (202) 466-6456 information @nofas.org http://www.nofas.org/ The National Organization on Fetal Alcohol Syndrome (NOFAS) is the leading voice and resource of the Fetal Alcohol Spectrum Disorders (FASD) community. Founded in 1990, NOFAS is the only international, non-profit organization committed solely to FASD primary prevention, advocacy and support.

### **Pediatric Brain Foundation**

2144 E. Republic Rd. Building B, Suite 202 Springfield, MO 65804 Direct: (417) 887-4242

info@pediatricbrainfoundation.org

http://www.pediatricbrainfoundation.org/

### Pediatric Brain Foundation's Mission is Three-fold:

- Expedite scientific research to find treatments and cures for the more than 14 million children living with some form of neurological disorder
- Provide families and health care professionals with up-to-date information and resources on the latest discoveries in pediatric neurology
- Educate the public and public officials on the critical importance of funding pediatric neurological research

#### The Arc

1825 K Street, NW, Suite 1200 Washington, DC 20006 Toll Free: (800) 433-5255 Direct: (202) 534-3700

Fax: (202) 534-3731 info@thearc.org http://thearc.org

The Arc is the largest national community-based organization advocating for and serving people with intellectual and developmental disabilities and their families. We encompass all ages and more than 100 different diagnoses including autism, Down syndrome, Fragile X syndrome, and various other developmental disabilities.

This document was developed by the Job Accommodation Network (JAN), funded by a grant from the U.S. Department of Labor, Office of Disability Employment Policy (#OD-38028-22-75-4-54). The opinions expressed herein do not necessarily reflect the position or policy of the U.S. Department of Labor. Nor does mention of tradenames, commercial products, or organizations imply endorsement by the U.S. Department of Labor.