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My Dental Assistant Asked for a Work Accommodation — What Are My Obligations?



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Question: One of our dental assistants recently shared that she has a medical condition that makes it difficult for her to stand for long periods of

time. She asked if we could adjust her schedule or provide equipment that would make her job easier. I want to support her, but I'm also concerned about keeping the practice running smoothly and complying with the law. What are my obligations when an employee requests an accommodation of this type?

Answer: When an employee requests an accommodation for a disability, both federal and Michigan law come into play, and how you respond can have significant legal and practical implications.

At the federal level, the Americans with Disabilities Act (“AwDA”) applies to employers with 15 or more employees. In Michigan, the Persons with Disabilities Civil Rights Act (“PDCRA”) applies broadly and covers employers with at least one employee. This means that even if your practice has fewer than 15 staff, you still have obligations under Michigan law.

Both laws require you to provide a “reasonable accommodation” to a qualified individual with a disability, unless doing so would create an undue hardship. In your case, an employee has made a request for accommodation based on her medical condition, so your next step is to engage in what’s called the “interactive process.” This is a good-faith conversation between you and your employee to explore:

- What her limitations are.
- What accommodations might help.
- Whether those accommodations are feasible without undue hardship.

We advise asking for medical documentation to substantiate her request and aid you in this process. You want to ensure that any accommodation you consider complies with the restrictions indicated by her medical provider. As the employer, you make the final decision in

which accommodation(s) you offer. It doesn’t have to be the exact accommodation the employee is requesting, so long as the accommodation offered meets the need. Remember, the interactive process is ongoing, and it can sometimes take some back-and-forth to find a solution that works. Be sure to document your conversations and your attempts to provide reasonable accommodation.

Examples of reasonable accommodations you might consider in this case include:

- Providing a stool or adjustable chair for her to use when she needs a break from standing.
- Allowing flexibility in scheduling or breaks.
- Reassigning non-essential duties that would require her to be on her feet.
- Making ergonomic adjustments to equipment.

The key is that the employee must still be able to perform the essential functions of the job, and accommodations cannot compromise patient care or safety standards.

Often, the challenge with the accommodation process is determining whether the adjustment needed would pose an “undue hardship” for your practice. This is not a brightline test. Just because an accommodation may have some cost associated with it or may create an additional burden for the employer does not necessarily make it an undue hardship. You must consider whether or not the adjustment would create significant difficulty or expense relative to the size and resources of your practice. For a small dental office, a costly renovation may be unreasonable, but providing a stool or adjusting schedules likely would not be.

Failing to engage in the interactive process or denying the request without considering alternatives can expose your practice to legal claims through the Michigan Department of Civil Rights under the PDCRA, or the Equal Employment Opportunity Commission under the AwDA. By approaching the situation with openness and consistency, you comply with the law while also supporting your staff in staying healthy and productive — which, of course, benefits both your practice and your patients. ●