

Numerous types of reasonable accommodation can be made, and there is organizational experience and research in providing reasonable accommodation.¹⁴⁶ Examples include substituting an oral test for a written one (or vice versa); providing extra time to complete a test; scheduling rest breaks during a test; administering tests in large print, in Braille, or by reader; and using assistive technologies to adapt computers, such as a special mouse or screen magnifier.

Inquiries About Disabilities

Virtually all assessment tools and questions are affected by the ADA. A summary of permissible and impermissible practices is shown in Exhibit 9.16. Note that permissibility depends on the assessment tool, whether the tool is being used for an external applicant or employee, and whether the tool is being used prehire (like most selection procedures) or after a conditional offer has been made. Also note the many stipulations governing usage. Another useful source of information is "Job Applicants and the Americans With Disabilities Act."

Medical Examinations: Job Applicants

Substantial regulations surround medical exams, both before and after a job offer. Prior to the offer, the organization may not make medical inquiries or require medical exams of an applicant. The job offer, however, may be conditional, pending the results of a medical exam.

Postoffer, the organization may conduct a medical exam. The exam must be given to all applicants for a particular job, not just individuals with a known or suspected disability. Whereas the content of the exam is not restricted to being only job related, the reasons for rejecting an applicant on the basis of the exam must be job related. A person may also be rejected if exam results indicate a direct threat to the health and safety of the applicant or others such as employees or customers. This rejection must be based on reasonable medical judgment, not a simple judgment that the applicant might or could cause harm. Each applicant must be assessed individually in order to determine whether an impairment creates a significant risk of harm and cannot be accommodated through reasonable means. Results of medical exams are to be kept confidential, held separate from the employee's personnel file, and released only under very specific circumstances.

It may be difficult to determine whether something is a medical examination and thus subject to the above requirements surrounding its use. The EEOC defines a medical examination as "a procedure or test that seeks information about an individual's physical or mental impairments or health."¹⁴⁷ The following factors are suggestive of a selection procedure that would be considered a medical examination:

- It is administered by a health care professional and/or someone trained by such a professional.
- It is designed to reveal an impairment of physical or mental health.

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